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Letter dated 10 March 2010 from the Chairman of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council

On behalf of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, and in accordance with paragraph 3 (j) of Security Council resolution 1853 (2008), I have the honour to transmit herewith the report of the Monitoring Group on Somalia.

In this connection, the Committee would appreciate it if the present letter, together with its enclosure, were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Claude **Heller**
Chairman
Security Council Committee pursuant to resolutions 751 (1992)
and 1907 concerning Somalia and Eritrea

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Letter dated 26 February 2010 from the members of the Monitoring Group on Somalia addressed to the Chairman of the Security Council Committee established pursuant to resolution 751 (1992)

We have the honour to transmit herewith the report of the Monitoring Group on Somalia in accordance with paragraph 3 (j) of Security Council resolution 1853 (2008).

(*Signed*) Matt **Bryden**
Coordinator
Monitoring Group on Somalia

(*Signed*) Arnaud **Laloum**

(*Signed*) Jörg **Roofthooft**

Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1853 (2008)

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Abbreviations

AMISOM	African Union Mission in Somalia
ARS	Alliance for the Re-Liberation of Somalia
ARS-A	Alliance for the Re-Liberation of Somalia-Asmara
ASWJ	Ahlu Sunna wal Jama'a
ICAO	International Civil Aviation Organization
IMB	International Maritime Bureau
IMO	International Maritime Organization
RPG	rocket-propelled grenade
UIC	Union of Islamic Courts
UNDP	United Nations Development Programme
UNPOS	United Nations Political Office for Somalia
UPDF	Uganda People's Defence Forces
WFP	World Food Programme

Summary

Somalia has undergone significant political change in 2009/10, but the security situation has remained largely stagnant. The conflict remains a grim example of "hybrid warfare": a combination of conventional capabilities, irregular tactics and formations, as well as indiscriminate violence, coercion, and criminal disorder — compounded in the Somali case by the interference of regional powers. Somalia's frail Transitional Federal Government has struggled ineffectually to contain a complex insurgency that conflates religious extremism, political and financial opportunism, and clan interests. Beneath a superficial ideological overlay, armed opposition groups have essentially degenerated into clan militias, manifesting the same kind of fluid alliances and fissile tendencies. As a result, southern Somalia remains a patchwork of fiefdoms controlled by rival armed groups — a political and security vacuum in which no side is strong enough to impose its will on the others. Meanwhile, the relatively stable northern regions of Puntland and Somaliland have suffered increasing spillover from the conflict to the south in the form of targeted killings and bombings.

The military stalemate is less a reflection of opposition strength than of the weakness of the Transitional Federal Government. Despite infusions of foreign training and assistance, government security forces remain ineffective, disorganized and corrupt — a composite of independent militias loyal to senior government officials and military officers who profit from the business of war and resist their integration under a single command. During the course of the mandate, government forces mounted only one notable offensive and immediately fell back from all the positions they managed to seize. The government owes its survival to the small African Union peace support operation, AMISOM, rather than to its own troops. Clan militias operating under the banner of Ahlu Sunna wal Jama'a in Galguduud region proved far more effective than the Transitional Federal Government on the battlefield, inflicting serious reverses on Al-Shabaab forces.

Opposition forces, though generally better disciplined, organized and motivated than their government adversaries, lack popular support and are equally susceptible to internal divisions. Hizbul Islam — a coalition of four clan-based militia groups under the leadership of Hassan Dahir Aweys — was founded in February 2009 and had all but disintegrated by the end of the same year. Harakat al-Shabaab al-Mujahideen (better known as Al-Shabaab) is a sprawling coalition of jihadists, business interests and clan militias, which has suffered serious internal frictions over such issues as the role of foreign fighters, the use of suicide bombers and desirability of political dialogue.

Persistent, low-intensity warfare between these various groups demands a steady flow of arms, ammunition and military or dual-use equipment. These items continue to enter Somalia in violation of the general and complete arms embargo imposed in 1992, at a fairly steady rate. Primary sources of supply remain Yemen and Ethiopia, although contributions to the Transitional Federal Government from the United States, Uganda and other parties have also entered Somali arms markets. Eritrea — once a major sponsor of armed opposition groups — appears to have scaled down its military assistance while continuing to provide political, diplomatic and possibly financial support. There has been little overall change in the types of arms and ammunition entering Somalia, but the Monitoring Group has observed that small numbers of heavy mortars and wire-guided anti-tank weapons are now employed by armed opposition groups.

Efforts to restore peace and security to Somalia are critically undermined by a corrosive war economy that corrupts and enfeebles State institutions. The limited ability of the Transitional Federal Government to pay its officials and security forces is handicapped by entrenched corruption at all levels: commanders and troops alike sell their arms and ammunition — sometimes even to their enemies. Revenues from Mogadishu port and airport are siphoned off. Some government ministers and members of parliament abuse their official privileges to engage in large-scale visa fraud, smuggling illegal migrants to Europe and other destinations, in exchange for hefty payments.

The most obvious symptom of the war economy is piracy: attacks on shipping off Somalia increased in 2009, despite the presence of international naval forces offshore. The increase has been driven in part by the remarkable success rate of Somali piracy in 2008 (38 per cent of all ships attacked were hijacked), its high profitability and relatively low risks. But it is also a reflection of the complicity of senior figures in the Puntland administration. Several candidates in the leadership contest of January 2009, which saw Abdirahman Faroole accede to the Puntland presidency, accepted significant campaign contributions from pirate leaders. Several notorious pirate leaders remain at liberty in Puntland, and senior officials have at times intervened to secure the liberty of kinsmen detained during the course of counter-piracy operations. Meanwhile, international counter-piracy operations have driven some pirate activity back to ungoverned central Somalia.

The war economy is also an impediment to humanitarian assistance efforts. Some humanitarian resources, notably food aid, have been diverted to military uses. A handful of Somali contractors for aid agencies have formed a cartel and become important powerbrokers — some of whom channel their profits — or the aid itself — directly to armed opposition groups. The Adaani family, one of the three largest contractors for the World Food Programme in Somalia, has long been a financier of armed groups, and a close ally of the Hizbul Islam leader. When the Adaani family failed to secure concessions from the Transitional Federal Government in exchange for the closure of the private port at Eel Ma'aan — a move that would have deprived the government of vital revenue — it turned to Hizbul Islam to reopen the facility. Other members of the business cartel that dominates food aid deliveries in Somalia have been involved in more subtle, but no less harmful, manipulation of humanitarian resources.

The international dimensions of the Somali conflict are expanding at an accelerated pace. All of Somalia's immediate neighbours — Djibouti, Ethiopia and Kenya — are militarily involved in the conflict or plan to become involved in the coming months. A growing number of countries provide military support to the Transitional Federal Government, with or without the approval of the Security Council Committee established pursuant to resolution 751 (1992). Meanwhile, Shabaab ideologues, activists and fund-raisers function openly among Somali diaspora communities, where their influence has acquired a disturbing magnitude. Small but significant numbers of ethnic Somali youth have been inspired to travel to Somalia as fighters and suicide bombers, or to engage in acts of violence in their home countries.

I. Introduction

A. Mandate

1. In paragraph 3 of its resolution 1853 (2008), the Security Council conferred the following mandate on the Monitoring Group on Somalia:

(a) To continue the tasks outlined in paragraphs 3 (a) to (c) of resolution 1587 (2005);

(b) To carry out additionally the tasks outlined in paragraphs 23 (a) to (c) of resolution 1844 (2008);

(c) To continue to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit arms embargo violations;

(d) To continue to investigate any means of transport, routes, seaports, airports and other facilities used in connection with arms embargo violations;

(e) To continue refining and updating information on the draft list of those individuals and entities who violate the measures implemented by Member States in accordance with resolution 733 (1992) and paragraphs 8 (a) to (c) of resolution 1844 (2008), inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(f) To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts (S/2003/223 and S/2003/1035) appointed pursuant to resolutions 1425 (2002) and 1474 (2003), and on the previous reports of the Monitoring Group (S/2004/604, S/2005/153, S/2005/625, S/2006/229, S/2006/913, S/2007/436, S/2008/274 and S/2008/769) appointed pursuant to resolutions 1519 (2003), 1558 (2004), 1587 (2005), 1630 (2005), 1676 (2006), 1724 (2006), 1766 (2007) and 1811 (2008);

(g) To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008);

(h) To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargo, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008);

(i) To provide to the Council, through the Committee, a midterm briefing within six months of its establishment, and to submit progress reports to the Committee on a monthly basis;

(j) To submit, through the Committee, for consideration by the Council, a final report covering all the tasks set out above, no later than 15 days prior to the termination of the mandate of the Monitoring Group.

2. In paragraph 19 of its resolution 1907 (2009), the Security Council decided to further expand the mandate of the Monitoring Group in the following ways:

(a) To assist the Committee in monitoring the implementation of the measures imposed in paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009), including by reporting any information on violations;

(b) To consider any information relevant to implementation of paragraphs 16 and 17 of resolution 1907 (2009) that should be brought to the attention of the Committee;

(c) To include in its reports to the Security Council any information relevant to the designation by the Committee of the individuals and entities described in paragraph 15 of resolution 1907 (2009);

(d) To coordinate as appropriate with panels of experts of other sanctions Committees in pursuit of these tasks.

3. The Monitoring Group was based in Nairobi and comprised the following experts: Matt Bryden (Canada), regional expert and Coordinator; Gregory Beals (United States of America), armed groups expert;[1] Arnaud Laloum (France), arms expert; Charles Lengalenga (Zambia),[2] finance expert; and Jörg Roofthooft (Belgium), transportation and maritime expert. The Monitoring Group was assisted by a consultant, Jarat Chopra.

4. The Monitoring Group travelled to Belgium, Djibouti, Ethiopia, France, the Netherlands, Somalia, Sweden, Uganda, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, and the United States.

5. Pursuant to paragraph 3 (i) of resolution 1853 (2008), the Monitoring Group kept the Security Council and its Committee established pursuant to resolution 751 (1992) informed, throughout the period of its mandate, of its activities by submitting monthly progress reports through the United Nations Secretariat and by providing a midterm briefing to the Committee on 21 October 2009.

B. Methodology

6. The evidentiary standards and verification processes outlined in the Monitoring Group's previous reports apply to work conducted during the current mandate. The Monitoring Group reaffirmed its methodology pursuant to its previous reports (S/2008/274 and S/2008/769). The methodology used for the current report is as follows:

(a) Collection of information on events and topics from multiple sources, where possible;

(b) Collection of information from sources with first-hand knowledge of events, where possible;

(c) Identifying consistency in patterns of information and comparing existing knowledge with new information and emerging trends;

(d) Continuously factoring in the expertise and judgement of the relevant expert of the Group and the collective assessment of the Group with respect to the credibility of information and the reliability of sources;

(e) Collection of physical, photographic, video and/or documentary evidence in support of information collected.

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[1] Gregory Beals resigned in June 2009.

[2] Charles Lengalenga resigned in January 2010.

7. Members of the Monitoring Group travelled to Mogadishu, Hargeysa and Berbera. Organizational and security constraints, including denial of access to United Nations Humanitarian Air Service flights, prevented more extensive travel within Somalia.

8. The Monitoring Group made a deliberate and systematic effort to gain access to those involved in arms embargo violations by way of individuals who have direct knowledge or know people who have direct knowledge of details of violations.

9. In line with its mandate, the Monitoring Group has striven to meet the highest evidentiary standards available to a non-judicial body. In the absence of judicial recourse, it considers as "beyond a reasonable doubt" the information obtained from or volunteered by at least three credible and independent primary sources, in addition to expert observations in situ where available. It has used its best judgement in assessing the relevance of the information collected from primary and secondary sources before coming to a considered and unanimous view.

10. The Monitoring Group interviewed government officials in the region and, where relevant, representatives from diplomatic missions, civil society organizations and aid agencies. Members of the Monitoring Group met with a number of officials of the Transitional Federal Government, including the Prime Minister, the Ministers for Foreign Affairs, Defence, International Cooperation and Planning, Environment, and Gender, the Director General of the National Security Agency, the Head of Immigration and the Manager of Mogadishu Port. It also contacted numerous key members of Somali civil society and political and armed groups.

C. Description of the security-related environment

11. In general terms, the Somali conflict in 2009/10 is perhaps best described in terms of "hybrid warfare", which is generally defined as a combination of conventional capabilities, irregular tactics and formations, and terrorist acts as well as indiscriminate violence, coercion, and criminal disorder. Northern Somalia (Somaliland and Puntland) remained relatively stable, but suffered increasing spillover from the conflict in the south, notably in the form of attacks with improvised explosive devices. In southern Somalia, the Transitional Federal Government struggled ineffectually to contain a complex insurgency involving extremists, political opportunists and clan-based militias. Foreign forces played a role on both sides of the conflict: the Transitional Federal Government owed its survival mainly to the support and protection of Ugandan and Burundian troops operating under the umbrella of the African Union Mission in Somalia (AMISOM),[3] while the opposition benefited from the military contributions of non-Somali fighters, trainers and advisers.

12. In southern Somalia, conflict between the Transitional Federal Government and a loose coalition of insurgents was at a stalemate for most of 2009. An offensive in Mogadishu by opposition forces in May and June failed to dislodge the government, largely thanks to AMISOM protection and external military and financial support to government forces. A government counteroffensive in July demonstrated the weakness of opposition forces in the capital, but failed to sustain its early achievements. In October 2009, Al-Shabaab successfully resisted an

[3] AMISOM is currently operating under the authority of Security Council resolution 1910 (2010).

attempt by local forces to dislodge them from the port town of Kismaayo, and have since exercised full control over this major logistical hub and source of revenue.

13. Late in 2009, however, the military balance in south-central Somalia appeared to be shifting against the opposition as Hizbul Islam had ceased to function as an integrated force, and Ahlu Sunna wal Jama'a (ASWJ) forces, bolstered by their alliance with the Transitional Federal Government, inflicted a series of defeats on Al-Shabaab in the Galguduud and Hiraan regions. Opposition forces responded to the stalemate and growing military pressure inside Somalia by invigorating their support networks outside the country and, in the case of Al-Shabaab, threatening acts of terrorism against countries they perceived to be aligned with the Transitional Federal Government.

D. Clan dynamics

14. On one level, the conflict in Somalia represents a struggle between groups with competing political and ideological agendas. Al-Shabaab and Hizbul Islam both profess Salafi versions of Islam, while ASWJ represents a number of Sufi branches of the Shafi'i school. The Transitional Federal Government accommodates a range of views from both sides of the spectrum, as do the authorities in Somaliland and Puntland.

15. On another level, however, the conflict is a product of the clan dynamics that have shaped the Somali civil war for the past 20 years. Recent fighting in central Somalia, for example, has pitted an ASWJ alliance of Habar Gidir Ayr, Marehaan and Dir clan militias against Al-Shabaab militias drawn heavily from the Murosade and Duduble. In the Hiraan region, the Hawaadle clan east of the Shabelle River tends to support the government, while the members of the Gaalje'el and Gugundhaabe on the western bank serve as foot soldiers for Al-Shabaab. In the Juba Valley, the battle between Al-Shabaab, Raas Kaambooni and Anoole for control of Kismaayo has been in many respects a continuation of the multidimensional struggle between Marehaan, Ogaden and Harti (as well as many smaller communities) that has destabilized the area for two decades.

16. Analysis of these superimposed conflict dynamics is essential to an understanding of Somalia's security environment, in particular to the composition of various armed groups, their leadership, organization, capabilities and alliances.

E. Description of major actors

Transitional Federal Government

17. The Transitional Federal Government controls several official security forces, namely:

- *Somali National Security Force*. The total planned strength of this force during the transitional period is 8,000. In October 2009, with the assistance of the AMISOM Force Commander, former Somali National Forces units and the Somali troops trained in Djibouti were reorganized into battalion-size formations. As at 1 November 2009, approximately 2,900 soldiers were estimated to be effective and on the government payroll, and it was believed there were additional fighters who had not yet been registered.

- *Somali Police Force*. The total planned strength for this force during the transitional period is 10,000.

- *National Security Agency*. Headed by General Mohamed Sheikh Hassan, the National Security Agency is responsible for intelligence collection and analysis, counter-terrorism and immigration functions.

In addition, the Transitional Federal Government is supported by a variety of militia groups, some of which operate nominally under the authority of the forces listed above. An international assessment of the security sector late in 2009 estimated that some 5,000 to 10,000 Government-aligned militias operate in Mogadishu.[4]

18. In practice, the majority of government forces are irregular, clan-based, and characterized by highly personalized command arrangements. Military and police functions often overlap. The security sector as a whole lacks structure, organization and a functional chain of command — a problem that an international assessment of the security sector attributes to "lack of political commitment by leaders within the Transitional Federal Government or because of poor common command and control procedures", as well as lack of resources. The report observes that "the culture, mentality and behaviour of 'militias' remains extant in the Army". Although government officials claim that a national security plan is being formulated to address these challenges, no such plan appeared to exist when the Monitoring Group concluded its investigations. To date, the Transitional Federal Government has never managed to deploy regimental or brigade-sized units on the battlefield.

19. The consequences of these deficiencies include an inability of the security forces of the Transitional Federal Government to take and hold ground, and very poor public perceptions of their performance by the Somali public. As a result, they have made few durable military gains during the course of the mandate, and the front line has remained, in at least one location, only 500 metres from the presidency.

Ahlu Sunna wal Jama'a

20. Ahlu Sunna wal Jama'a was established in 1991, in the aftermath of the collapse of the Barre regime, with the support of General Mohamed Farah Aydiid, in order to counter the growing influence of militant reformist movements like Al-Ittihad Al-Islami. Until mid-2008, ASWJ was of marginal importance, lacking a political profile or military wing. In July 2008, however, clashes broke out between ASWJ and Shabaab militias in a number of locations in central and south-western Somalia where Al-Shabaab had attempted to ban Sufi religious practices. In December 2008, with the support of the Transitional Federal Government headed by then Prime Minister Nur Adde, ASWJ leaders solicited and obtained military support from Ethiopia, and embarked upon a campaign to expel Al-Shabaab militias from the central regions. By late 2009, ASWJ had emerged as the largest and most effective government-aligned fighting force in southern Somalia. The Monitoring Group estimates the total strength of these disparate forces at approximately 2,000 fighters.

21. Like most other Somali factions, ASWJ is an umbrella for various local militia groups, including Sufi sects, clan interests, political opportunists and external agendas. The largest and most effective wing of ASWJ operates in the western Galguduud region and is anchored mainly in the Habar Gidir Ayr, Dir and Marehaan

[4] The Monitoring Group believes this figure to be too high.

clans of that region. Affiliated groups also operate in the eastern Galguduud and Middle Shabelle regions (Abgaal Wa'eysle), in Gedo region (Marehaan) and since late 2009 in Hiraan region (Hawaadle). Some other militia leaders, including some serving as proxies for Ethiopian influence (such as Barre Aden Shire "Hiiraale"[5] and Yuusuf Ahmed Hagar "Dabageed"[6]) have tried to portray themselves as ASWJ in order to attract greater domestic and international support. Despite attempts to unify these efforts, ASWJ lacks a unified chain of command and suffers from a lack of internal cohesion — in part because of bitter disputes over external resources.[7]

22. The relationship of Ahlu Sunna wal Jama'a with the Transitional Federal Government has been difficult and at times ambiguous. In July 2008, ASWJ leaders expressed their support for the preliminary Djibouti agreement and, on 21 June 2009, Abdulqaadir Ma'alin Nuur of ASWJ and the Prime Minister of the Transitional Federal Government, Omar Abdirashid Sharmarke, signed a joined declaration pledging full cooperation. By late 2009 the agreement had yet to be implemented in any meaningful way, however, and the relationship between the two parties was strained. The government's selective engagement with ASWJ during this period further complicated the situation. Late in August 2009, for example, having failed to provide assistance to ASWJ forces in western Galguduud, the Transitional Federal Government sent military aid to embattled ASWJ fighters from President Sharif's own Abgaal clan near Eel Dheer.[8]

23. On 30 November 2009, ASWJ and the Transitional Federal Government signed a more substantive cooperation agreement, underpinned by a written request from the Transitional Federal Government to the Government of Ethiopia seeking material support, including arms and ammunition for ASWJ in Galguduud. Although ASWJ had been receiving military support from Ethiopia since December 2008 in violation of the United Nations arms embargo on Somalia (see paras. 200-203 below), these most recent developments appear to indicate that ASWJ may now be considered a legitimate local security sector institution, acknowledged and supported by the Transitional Federal Government, and therefore eligible for external assistance.

Armed opposition groups

24. From 2004 to 2008, opposition to the Transitional Federal Government took the form of a popular and complex insurgency involving a significant cross section of Somali society opposed to President Abdullahi Yusuf and Ethiopian occupation. Since the withdrawal of Ethiopian forces and the election of Sheikh Sharif Sheikh Ahmed as president, popular opposition to the Transitional Federal Government has largely subsided and armed opposition is now limited essentially to a small number of militant groups. However, these groups have effectively exploited clan and regional grievances in order to establish presence and influence throughout much of Somalia.

25. The structure, organization and membership of armed opposition groups are fluid. They suffer internal tensions and divisions, they lack clearly defined hierarchies, and the relationships between them fluctuate rapidly and often unpredictably

[5] Monitoring Group interview, 17 September 2009.

[6] http://horseedmedia.net/2010/01/dabgeed-waxaan-ahay-guddoomiyaha-ahlu-sunna-ee-hiiraan/ and http://www.hiiraan.com/news/2010/Jan/wararka_maanta10-8570.htm.

[7] ASWJ document, 3 January 2010.

[8] Shixnad Hub iyo Saanad Militeri oo Ka Degey Degmooyinka Dhuuso mareeb iyo Ceeldheer, accessed at http://www.raxanreeb.com/?p=17207; also multiple Monitoring Group interviews.

between cooperation, competition and even mutual hostility. Defections of fighters from one militia to another, which are routinely trumpeted by all sides for propaganda purposes, are a natural product of this constant fusion and fission.

26. The two main foci of opposition are Harakat al-Shabaab al-Mujahideen (commonly known as Al-Shabaab)[9] and Hizbul Islam.[10] Although they have cooperated closely at times, and some members of both groups seek to unify them, they pursue separate political and ideological objectives and the relationship between them has increasingly been characterized by friction and conflict.

Harakat al-Shabaab al-Mujahideen

27. Al-Shabaab was founded by former members of Al-Ittihad Al-Islami, a militant group active in Somalia between 1991 and 1997. Elements of Al-Shabaab appear to have been independently active from approximately 2002, but the group first acquired a public profile in 2005, when it desecrated a former Italian cemetery in Mogadishu and established a base there. In 2006, the group emerged as the militant wing of the Union of Islamic Courts (UIC). Following the defeat of UIC by Ethiopian forces in January 2007, Al-Shabaab adopted an increasingly independent trajectory, rejecting the formation in September 2007 of the Asmara-based Alliance for the Re-Liberation of Somalia (ARS), of which UIC was a member.

28. Despite its former alliance with Sheikh Sharif, Al-Shabaab disapproved of the Djibouti peace process that reconciled one wing of ARS with the Transitional Federal Government, and in January 2009 saw Sheikh Sharif Sheikh Ahmed elected president. Al-Shabaab leaders describe President Sharif and the Transitional Federal Government as "apostates" and have continued to attack them with guerrilla tactics, improvised explosive devices and targeted killings. Nevertheless, while hardliners within the organization reject dialogue and compromise, the Monitoring Group believes that other elements of Al-Shabaab appear to be pragmatic and eligible for political engagement.

29. Organizationally, Al-Shabaab remains a relatively loose and heterogeneous organization, serving as an umbrella for self-professed "jihadists", clan militias, business interests and foreign fighters. Decision-making in Al-Shabaab is undertaken by a collective leadership structure, including a *shura* (council) of key individuals. Some of the most prominent Shabaab figures are:

- Ahmed Abdi aw Mohamud "Godane" (also known as Mukhtar Abdirahman abu Zubeyr), senior operational commander, designated supreme leader or emir in December 2007[11]
- Ibrahim Haji Jama Mee'aad "Al-Afghani" (also known as Abubakar al-Seyli'i), regional governor of Kismaayo administration
- Mukhtar Roobow Ali, spokesman and regional commander (resigned and replaced by Ali Mohamud Raghe "Dheere" in May 2009)
- Ali Mohamud Raghe also known as Ali Dheere, spokesman (since May 2009)

[9] Mujahideen Youth Movement.

[10] Islamic Party.

[11] On 9 December 2006, a regional court in Hargeysa (Somaliland) sentenced Godane and Ibrahim Haji "Al-Afghani" in absentia to 25 years in prison on terrorism-related charges.

- Fu'aad Mohamed Khalaf "Shangole", regional commander
- Hussein Ali Fidow, chief of political and regional affairs, Mogadishu
- Hassan Yaqub Ali, regional spokesman (Kismaayo)

30. Extremists within Al-Shabaab seek, with limited success, to align the organization more closely with Al-Qaida.[12] Several of the group's leaders have trained or fought overseas, principally in Afghanistan, and have introduced tactics employed in those conflicts to Somalia.[13] From 2003 to 2006, members of Al-Shabaab were linked to the murders of several foreign aid workers. Since 2007, the group has targeted government officials, civil society activists and journalists with targeted killings, improvised explosive devices and suicide bombings.

31. The tensions between these tendencies of the movement were most clearly in evidence in December 2009, in the aftermath of the bombing of the Shamo Hotel, when reports circulated about a fracture within the organization and the formation of a new wing, named Millat Ibrahim, headed by dissidents opposed to such extreme and indiscriminate tactics. In the light of subsequent public displays of solidarity by the group's leadership, however, the Monitoring Group believes that reports of a split within Al-Shabaab may be overstated.[14]

32. Equally overstated is the importance of foreign fighters in Al-Shabaab ranks. Although there is no question that several hundred foreigners now fight within or alongside Al-Shabaab units and provide advice and technical expertise at various levels within the organization, they do not appear to have made a decisive contribution to any single engagement in recent months, nor to the overall course of the conflict.

33. Al-Shabaab military forces include three main categories of fighters:

- A core force comprising fewer than 2,500 Somalis and several hundred foreign fighters
- A larger number of local clan militias aligned with Al-Shabaab, but not readily deployable for operations outside their home areas
- Irregular fighters engaged for specific operations on a "pay-as-you-go" basis

34. Al-Shabaab compensates for these relatively small numbers, and the variance in quality of its forces, with the mobility of its forces and its ability to concentrate them across considerable distances on short notice and to great effect.

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[12] In March 2009, Osama bin Laden released an audio message in support of Al-Shabaab entitled "Fight on, O Champions of Somalia". On 20 September 2009, Al-Shabaab distributed a 48-minute propaganda video entitled *Labayka Ya Usama* (Here I am at Your Service, Usama). Early in 2010, several Shabaab officials claimed a mutually supportive relationship with Al-Qaida in the Arabian Peninsula.

[13] On 29 February 2008, Harakat al-Shabaab al-Mujahideen was designated by the United States State Department as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act. On 29 August 2009, the Government of Australia also designated Al-Shabaab as a terrorist organization under division 102 of the Criminal Code.

[14] On 1 January 2010, Al-Shabaab conducted a parade at the Maslax barracks in northern Mogadishu, attended by senior Shabaab leaders Ali Dheere, Mukhtar Roobow and Fu'aad Shangole, among others, in an apparent show of unity.

35. The tactical unit of the core Al-Shabaab force is typically platoon-sized (30-50 fighters), equipped with cold war-era arms, including assault rifles, PK general purpose machine guns, rocket-propelled grenades and when necessary B-10 recoilless rifles. Like other Somali militias, Al-Shabaab infantry units may be accompanied by vehicle-mounted machine guns and light anti-aircraft guns adapted to a ground support role. Al-Shabaab generally reserves its indirect fire weapons — mortars — for use in Mogadishu. In addition to threatening Transitional Federal Government and African Union positions, the use of mortars has proved effective in provoking retaliatory and often indiscriminate responses from AMISOM forces — precisely the effect Al-Shabaab hopes to achieve.

Hizbul Islam

36. Virtually since its formation in February 2009, Hizbul Islam has been in a process of slow but inexorable disintegration. At the moment of its inception, Hizbul Islam was an alliance of four armed opposition groups:

- Alliance for the Re-Liberation of Somalia — Asmara wing (ARS-A)[15]
- Somali Islamic Front (SIF, also known as JABISO)[16]
- Raas Kaambooni Forces[17]
- Anoole Forces (also known as Al-Furqaan Forces)[18]

37. The first chairman of the alliance was Omar Imaan Abdulqaadir, a close ally of Hassan Dahir Aweys, who was still based in Asmara at the time. When Aweys himself returned to Somalia in April 2009, he assumed de facto leadership of Hizbul Islam, and the front launched its first major military operations (see section II.A. below).

38. Despite its religious and nationalist rhetoric, Hizbul Islam was essentially structured along clan lines. ARS-A and JABISO militias were drawn mainly from smaller Hawiye sub-clans with little reputation for military proficiency. Anoole sought support from among the residual Harti communities in the Juba Valley. The Raas Kaambooni forces, which were composed almost exclusively from the Mohamed Subeer sub-clan of the Ogaden, represented the most significant fighting component of the alliance.

39. In October 2009, Hizbul Islam was thrown into disarray when the Raas Kaambooni group sought to dislodge Al-Shabaab from Kismaayo. Anoole ultimately opted for neutrality between the two, while ARS-A and JABISO — who cooperated with Al-Shabaab in operations against the Transitional Federal Government and AMISOM in Mogadishu — refused to lend their support to Raas Kaambooni. The refusal of much of Hassan Dahir Aweys's sub-clan, the Habar Gidir Ayr, to endorse his anti-government platform left him considerably isolated and without significant military forces at his disposal.[19]

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[15] Isbahaysiga Dib-u-Xoreynta Soomaaliya. ARS was described in the December 2008 report of the Monitoring Group (S/2008/769).

[16] Jabhadda Islamiga Soomaaliyeed. SIF was described in the December 2008 report of the Monitoring Group (S/2008/769).

[17] Mucaskar Raas Kaambooni.

[18] Mucaskar Caanoole.

[19] Some of Aweys's own Ayaanle sub-clan of the Habar Gidir Ayr continued to support him, giving his militia a foothold in parts of Galguduud region and Mataabaan district of Hiraan region.

40. By November 2009, Hizbul Islam had effectively been reduced to two of its constituent parts: ARS-A and SIF — both of them comprising militias drawn from the smaller Hawiye sub-clans — and its area of operations confined to Mogadishu, Afgooye and parts of the Hiraan region.

41. Perceiving Hizbul Islam as an increasingly feeble and unreliable ally, at meetings near Afgooye in October 2009, Al-Shabaab offered Aweys the option of either joining Al-Shabaab or surrendering to the Transitional Federal Government. Aweys chose to remain independent, and by early 2010 Hizbul Islam had become of only marginal relevance to the broader struggle for power in southern Somalia.

Raas Kaambooni forces

42. The Raas Kambooni forces are a clan militia constituted mainly of fighters from the Mohamed Subeer sub-clan of the Ogaden. Leaders of this group include Ahmed Mohamed Islaan "Madoobe", Ibrahim Shukri and Abdinaasir Seeraar. In October 2009, a faction of the Raas Kaambooni militia headed by commanders Mohamed Muhumed Ali "Dulyadeen" (see S/2008/769), Abdiqani Mohamed Yusuf "Kaboje'el" and Isse Kaambooni split with the main force and aligned itself with Al-Shabaab in Kismaayo. Early in February 2010, led by Hizbul Islam Deputy Chairman Hassan Abdillahi Hirsi "Turki", this Raas Kaambooni splinter group declared it had merged with Al-Shabaab.

43. Raas Kaambooni forces under Ahmed Madoobe's leadership were overmatched by Al-Shabaab and its local allies in November 2009, but withdrew in relatively good order and remain a viable fighting force. They seem likely to re-emerge in the context of broader Ogaden initiatives to recover control of the Lower Juba region from Al-Shabaab.

Anoole forces/Al-Furqaan forces

44. Anoole forces are also a clan militia composed of fighters from the Harti sub-group of the Daarood (Majeerteen/Warsengeli/Dhulbahante), who are often referred to in the Juba Valley as "Harti Waamo". The Anoole militia is headed by Mohamed Mire, a member of the Edegfa'le sub-clan of Majeerteen.

45. Although small in comparison with other militia groups in the region, the group's military training camp at Laagta Anoole (Anole estuary) continues to produce more fighters. Al-Furqaan training camp was founded in October 2007 and is located between the villages of Buulo Xaaji and Qudhaa, 110 km from Kismaayo. Anoole forces also control a number of islands and villages in the Lower Juba region.

United Western Somali Liberation Front

46. An outgrowth of the Ogaden chapter of Al-Ittihad Al-Islami, the United Western Somali Liberation Front operates mainly in Ethiopia, where it opposes the current government and seeks to establish an Islamic authority over the Ethiopian Somali region. Led by Ibrahim Sheikh Muhumed and composed almost exclusively of fighters from the Ogaden clan, the organization held its Central Committee

meeting of March 2009 at an undisclosed location inside Somalia (probably in the Lower Juba region, under the auspices of Hassan Turki).[20]

47. In addition to the better-known Somali factions, the Monitoring Group has learned that a small number of fighters from the United Western Somali Liberation Front headed by a commander named Mohamed Arab Hiirey may also be fighting against the Transitional Federal Government in Mogadishu, under the umbrella of Hizbul Islam.

48. Like other Somali factions, the United Western Somali Liberation Front is supported by activists in large Somali diaspora communities, including Kenya. The Monitoring Group has received information indicating that some senior leaders of the Front may have travelled to and from Nairobi during the course of the mandate.

II. Acts that threaten the Transitional Federal Government, AMISOM and the peace process

49. Security Council resolution 1844 (2008) underlines three principal threats to peace and security in Somalia, specifically acts that threaten the Transitional Federal Government, AMISOM or the Djibouti peace agreement of August 2008 by force. In this context, both Al-Shabaab and the short-lived alliance known as Hizbul Islam have committed the most serious violations, conducting sustained military operations against both the Transitional Federal Government and AMISOM.

50. The Monitoring Group has also investigated a range of other threats to peace and security not specifically identified by resolution 1844 (2008). These include the actions of armed criminal groups, such as maritime militias engaged in piracy and armed robbery at sea, and acts intended to destabilize stable regions of Somalia. Monitoring Group investigations have encompassed not only the perpetrators of such acts, but also their financiers, facilitators and active supporters, both inside and outside Somalia.

A. Attacks on the Transitional Federal Government and AMISOM

51. Throughout the period of the Group's mandate, the most serious military threats to the Transitional Federal Government and AMISOM forces were posed by Al-Shabaab and Hizbul Islam. Both Al-Shabaab and ARS-A publicly rejected the election of Sheikh Sharif Sheikh Ahmed as President of the Transitional Federal Government and have since mounted sustained operations against government and AMISOM positions. Al-Shabaab also employed targeted killings, improvised explosive devices and suicide bombings. Although Hizbul Islam leaders occasionally endorsed such tactics, it is unclear whether they were actually employed by the organization.

52. The formation of Hizbul Islam in February 2009 signalled an escalation in the opposition's military efforts. Hizbul Islam was intended to provide a platform for the return of Hassan Dahir Aweys from Eritrea, where he had been based for more than one year, and to reinvigorate military opposition to the Transitional Federal Government. Aweys flew from Asmara to Mogadishu on 23 April and assumed the

[20] Ahmed Nasir Nashaad was elected as Chairman of the Central Committee.

de facto leadership of Hizbul Islam.[21] One week later, two consignments of arms and ammunition were reportedly delivered from Asmara by air to opposition forces via Bale Dogle airport west of Mogadishu.[22] During the second week of May, Al-Shabaab and Hizbul Islam jointly launched their most vigorous military operation of 2009.

53. The joint Hizbul Islam-Al-Shabaab offensive of May 2009 initially threatened to unseat the Transitional Federal Government, which survived defeat largely thanks to AMISOM protection and deliveries of arms and ammunition from the United States Government.[23] A government counteroffensive in July, backed by AMISOM, briefly achieved control of Mogadishu, but government forces failed to consolidate their gains and the capital reverted to the status quo ante, with opposition forces roughly 500 m from the presidency. There has been no decisive engagement since and the military situation has remained a stalemate.

Case study 1
Capital Airlines

On Sunday, 19 April 2009, an unknown Somali man representing an unregistered company walked into the offices of Captain Himat Vaghela, Managing Director of Capital Airlines Limited, a Kenyan airline company based at Wilson airport in Nairobi. The man wanted to enquire about chartering a flight to collect seven businessmen from Asmara, in time to catch a connecting flight from Nairobi to Mogadishu with African Express Airways on 22 April.

The following day, as agreed, the anonymous Somali returned to Capital's offices with US$ 25,500 to pay for the flight. Although Vaghela did not know the individual and claimed that the man had not been referred to him by anyone he knew, he accepted the money without signature of any contract and retained for his records no identifying information about his new client — not even a name or telephone number. The only record of the transaction was a receipt with an indecipherable signature on behalf of "Farah Trading and Transport".

On Tuesday, 21 April 2009, Capital dispatched a Beech/Raytheon 200 (1300 Super King) with registration number 5Y-JAI to pick up its passengers from Eritrea. Upon arrival in Asmara, the pilots both claim they were informed by the airport authorities that a fuel shortage made refuelling impossible, and that a "Notice to Airmen" had been issued to that effect.[a] Despite this information, they immediately filed a departure flight plan indicating a fuel endurance of 5.5 hours for the return trip — the maximum endurance of the aircraft when fully fuelled. Before moving to their hotel, the pilots were required to leave their passports with Eritrean immigration officials.

[21] Various media reports placed this flight on 22 April, but Monitoring Group investigations indicate 23 April.

[22] These deliveries were widely reported in the media and confirmed by reliable intelligence sources, but the Monitoring Group has been unable to obtain definitive, independent verification of these flights.

[23] Letters from the United States Government to the Somalia sanctions Committee dated 26 May and 19 June 2009 seeking exemptions from the arms embargo.

At their Asmara hotel, the pilots informed their Somali clients that a direct return trip to Nairobi would not be possible and that they would have to stop in Djibouti to refuel. The Somali clients categorically rejected this proposal, and instead demanded to be flown directly to Mogadishu. Two Eritreans, one of whom worked for the Eritrean Civil Aviation Authority and possessed a copy of the flight plan that the Captain had filed on arrival in Asmara, participated in these discussions. The change of plan implied a delayed departure and additional costs, which necessitated consultations with Captain Vaghela in Nairobi. Moreover, given Asmara's aviation fuel shortage, it must have been unclear how the aircraft could avoid a stopover in Djibouti. Nevertheless, without receiving any immediate compensation, Capital assented to the new flight plan.

The fuel shortage was overcome the following day with the assistance of the Asmara airport authorities, who arranged for the pilots and their clients to enter the airport through a special access route. Early the following morning in the Asmara Palace Hotel, one of the Somali clients handed the flight crew their passports, and the group was ready to depart.

On Thursday 23 April at approximately 3.30 a.m., the aircraft left Asmara airport and flew directly to Mogadishu, K50 airstrip. On board were five Somali passengers, including Hassan Dahir Aweys and his close associate Omar Shukri. On its arrival at K50 airstrip, the aircraft's passengers were met by a reception committee of Hizbul Islam leaders and fighters with several Land Cruisers. Just weeks later, Hizbul Islam, now under the de facto leadership of Aweys, joined forces with Al-Shabaab in the most aggressive offensive of 2009 against Transitional Federal Government and African Union forces.

According to Captain Vaghela, Capital never succeeded in recovering its additional costs — somewhere in the region of $5,000 — for the mission. The mystery client had simply disappeared and Vaghela had no name, no telephone number, no contract, and no other record of the flight through which to track him down. Monitoring Group attempts to identify Farah Trading and Transport led to a post office box with multiple clients, including an apparently fictitious motor company serving as cover for an online child pornography ring.

Multiple requests for cooperation on this issue from the Kenyan authorities met with no response. Likewise, African Express Airlines failed to comply with Monitoring Group requests for bookings and passenger lists, which would have permitted the Monitoring Group to verify some of the information received.

The Capital Airlines episode is illustrative of several key issues: the importance of Aweys's personal leadership in armed opposition to the Transitional Federal Government and AMISOM; Eritrea's direct and overt support for his return and the subsequent reinvigoration of Hizbul Islam in preparation for its offensive of May 2009; and the degree to which weak regulatory frameworks in some States of the region — in this case Kenya — enable sanctions-busting behaviour of the kind Capital Airlines engaged in.

[a] Neither pilot had prior knowledge of such a notice, and ICAO subsequently confirmed to the Monitoring Group that none had been issued.

B. Eritrean support to armed opposition groups

54. On 15 May 2009, by a presidential statement, the Security Council expressed concern at reports that Eritrea was providing arms to Somali opposition groups and called on the Monitoring Group to investigate. On 23 December 2009, the Council, by resolution 1907 (2009), expanded the mandate of the Monitoring Group and, inter alia, demanded that all Member States, in particular Eritrea, cease arming, training, and equipping armed groups and their members including Al-Shabaab, that aim to destabilize the region. The Monitoring Group has therefore given special attention to this issue and, in the course of its mandate, made multiple requests to visit Eritrea, none of which met with the consent of the Government of Eritrea.[24]

55. On the basis of its investigations, it is the opinion of the Monitoring Group that the Government of Eritrea has continued to provide political, diplomatic, financial and — allegedly — military assistance to armed opposition groups in Somalia during the course of the mandate, in violation of resolution 1844 (2008). By late 2009, possibly in response to international pressure, the scale and nature of Eritrean support had either diminished or become less visible, but had not altogether ceased.

56. Moreover, the Monitoring Group is aware of past Eritrean support to non-Somali armed opposition groups in the Horn of Africa, including (but not limited to) the Oromo Liberation Front, the Ogaden National Liberation Front and the United Western Somali Liberation Front. Under the provisions of resolution 1907 (2009), paragraphs 15 (b) and (d), such activities are now prohibited.

Eritrean policy towards Somalia

57. Eritrean engagement in Somalia can be understood only in terms of Asmara's broader regional policies, most importantly its continuing dispute with Ethiopia. Since the cessation of hostilities between the two countries in 2000, Asmara has sought to counter Ethiopian influence in the region and supported armed groups within Ethiopia who oppose the current government. Since 2006, and possibly earlier, Eritrea has supported opposition to the Transitional Federal Government, which it perceives as a proxy for the Government of Ethiopia.

[24] For correspondence between the Monitoring Group and the Government of Eritrea, see annex IV.

58. In this context, it has been the stated policy of the Government of Eritrea to oppose the Djibouti agreement of 18 August 2008, deny the legality and legitimacy of the Transitional Federal Government established pursuant to that process, and call for the expulsion of the AMISOM forces based in Mogadishu. In support of this policy, the Government of Eritrea has provided significant and sustained political, financial and material support, including arms, ammunition and training to armed opposition groups in Somalia since at least 2007.

59. The Government of Eritrea acknowledges that it does not recognize the Transitional Federal Government, but denies supporting "one party against another regarding the Somali issue".[25] This position contradicts previous statements of the Government of Eritrea that portray the Transitional Federal Government as illegal, illegitimate and externally imposed,[26] while describing Asmara's support to Somali armed opposition groups as a "legal right and moral obligation".[27] Late in May 2009, during Al-Shabaab's and Hizbul Islam's most significant offensive against the Transitional Federal Government and AMISOM, ARS-Asmara leader Hassan Dahir Aweys expressed his gratitude to Eritrea: "Eritrea supports us and Ethiopia is our enemy — we once helped both countries but Ethiopia did not reward us".[28]

Political support

60. During the course of 2007, the Government of Eritrea sponsored the establishment of ARS as an opposition movement.[29] According to ARS officials present in Asmara at the time, and who participated in these events, senior government officials — notably the Minister of Information, Ali Abdou, the head of political affairs for the ruling People's Front for Democracy and Justice, Yemane Ghebreab, and a senior military intelligence officer known as Te'ame[30] — played a direct role in decisions concerning key ARS appointments. In particular the Government of Eritrea insisted on several key ARS appointments, namely that Yusuf Indha'adde become Secretary of Defence (or Military Affairs); that Yusuf Hassan Ibrahim "Dheeg" become Foreign Secretary, and that Abdifatah Mohamed Ali become Finance Secretary. ARS leaders resisted these appointments in discussions with senior government officials, but were overruled. In effect, the senior military commander for the ARS-Asmara wing, Yusuf Indha'adde, was appointed on instructions issued by the Government of Eritrea.

61. Between November 2007 and April 2009, Eritrea hosted the senior leadership of ARS (later the ARS-Asmara faction), including Hassan Dahir Aweys, while its forces conducted repeated attacks on the Transitional Federal Government and AMISOM. Since the Somali passport is not considered valid for travel to most countries, the Government of Eritrea provided Eritrean passports to ARS leaders, as

[25] From Shabait.com (25 November 2009), the website of the Eritrean Ministry of Information, accessed at http://www.shabait.com/news/.

[26] For example, see Government of Eritrea press releases of 24 February, 22 April, 14 May, 26 June and 10 July 2009, and a 20 May 2009 interview with Eritrean President Isaias Afwerki by Shabelle.net.

[27] Statement by President Isaias Afwerki to the Asmara Conference on the Reconstitution of Somalia, as disseminated by the Government of Eritrea Ministry of Information, 12 May 2009.

[28] Interview with Reuters, 22 May 2009.

[29] Delegates received US$ 60 each from the Government of Eritrea in addition to free accommodation.

[30] Also known as Te'ame Mekelle or Meqelle, believed to be a Colonel or Brigadier General.

well as at least one senior Al-Shabaab leader, Mukhtar Roobow.[31] Following the split in ARS and formation of the new Transitional Federal Government administration headed by Sharif Sheikh Ahmed on 31 January 2009, Eritrea continued to host and support ARS-Asmara headed by Hassan Dahir Aweys, and subsequently facilitated the formation of a new opposition alliance, Hizbul Islam (see case study 1, in section II.A above).

Financial support

62. In addition to military support, the Government of Eritrea has consistently provided financial support to Somali armed opposition groups, including ARS-Asmara, Hizbul Islam and Al-Shabaab. Provision of cash permits armed opposition groups to purchase weapons from government forces, thereby arming themselves while disarming their adversaries.[32]

63. Following the formation of ARS in September 2007, the Government of Eritrea directed financial support principally via ARS. However, according to ARS officials, during the course of 2008, Eritrea established direct links with other opposition groups, including Al-Shabaab and the Raas Kaambooni forces. Colonel Te'ame told ARS officials: "We have experience of this kind of struggle and we must have direct relationships with groups in each region". According to these same sources, payments to each group are in the order of $40,000-$50,000 per month, plus additional funds for large-scale operations. During the course of 2009, the Monitoring Group learned of Government of Eritrea cash contributions to the following opposition figures:

- Yusuf Mohamed Siyaad "Indha'adde" (ARS-Asmara, central regions, subsequently joined the Transitional Federal Government as Minister of State for Defence)[33]
- Issa "Kaambooni" (Raas Kaambooni forces, Lower Juba region, arrested in Kenya late in 2009)
- Mukhtar Roobow (Al-Shabaab, Bay and Bakool regions)
- Mohamed Wali Sheikh Ahmed Nuur (Hizbul Islam, Gedo region)

64. Cash transfers are usually undertaken by Eritrean diplomats or intelligence officials, often in foreign countries. Intelligence officials of the Transitional Federal Government informed the Monitoring Group that they had arrested a German national acting as a cash courier for the Government of Eritrea as he arrived at Mogadishu International Airport in July 2009. The Monitoring Group has received numerous mutually corroborating reports from credible Somali sources and foreign

[31] According to the United States Government, Roobow was issued Eritrean passport No. 0310857 on 21 August 2006 (United States Department of the Treasury press release HP-1283, "Treasury Targets Somali Terrorists", 20 November 2008, accessed at http://www.treas.gov/press/releases/hp1283.htm).

[32] See December 2008 Monitoring Group report (S/2008/769) and Amnesty International, "Somalia: International Military and Policing Assistance Should Be Reviewed", January 2010.

[33] According to African Union officials, when Indha'adde joined the Transitional Federal Government he was in possession of documentation describing cash transfers from Eritrea to individual Somali armed opposition leaders which are currently in the possession of the Transitional Federal Government. The Monitoring Group was unable to inspect these documents.

intelligence agencies identifying several Eritrean officials engaged in such transactions. Payments are delivered either directly to representatives of Somali armed groups (in Eritrea or in Somalia) or transferred via hawalas (money transfer companies) or Somali businessmen to field commanders.

65. Cash for opposition groups is also funnelled via Eritrean embassies in Kenya, Djibouti and Dubai. These monthly payments typically consist of from $40,000 to $60,000 to each group, plus additional funds for specific operations. An estimated $1.6 million of such funding may have passed through Kenya alone in 2008. In September 2008, one such courier (an Eritrean government official) travelled from Kenya by land to a location in the Lower Juba region, where he handed over an estimated $60,000 to a senior official of the Raas Kaambooni forces.

66. On 23 April 2009, the Government of Eritrea facilitated the return of Hassan Dahir Aweys to Somalia in order that he assume the leadership of Hizbul Islam. Aweys and four other individuals travelled from Asmara to Mogadishu, landing at K50 airport south-west of the city, where they were met by other Hizbul Islam leaders and supporters. Aweys left Asmara in possession of an estimated $200,000, which he subsequently distributed to various Hizbul Islam leaders.

67. The Monitoring Group has received credible information indicating that Eritrea continues to send arms to Somalia in small vessels via the northern Somali port of Laasqoray for onward shipment to Shabaab forces in southern Somalia by Mohamed Sa'iid Atom (see section IV.A below). In May 2009, Eritrea allegedly sent Ukrainian-made small arms and anti-tank weapons to Hizbul Islam via the port of Kismaayo.

68. In August 2009, the Kenyan authorities acknowledged that they had expelled two Eritreans, one of them a diplomat named Negash, on security grounds. Negash reportedly entered Kenya through a land border, then travelled overland to Somalia where he met with leaders of both Hizbul Islam/Raas Kaambooni forces and Al-Shabaab. In justifying the expulsion, a Kenyan Government minister also made reference to a suicide bomb attack in June 2009 that killed a minister of the Transitional Federal Government and a former Somali ambassador to Ethiopia, claiming that the material used for the bomb was supplied by an Eritrean diplomat.[34]

Training

69. Eritrea has maintained training facilities for members of Somali armed opposition groups since at least 2006, and has at times deployed trainers and/or military advisers to assist armed opposition groups inside Somalia. Eritrea also maintains training camps for members of Ethiopian opposition groups, which is prohibited by resolution 1907 (2009).

70. Multiple Somali and international sources have described to the Monitoring Group training facilities for ARS fighters near Assab, in eastern Eritrea. In May 2008, when ARS split into two wings, the Government of Eritrea moved nearly two thirds of its training activities to another camp near Teseney to the west. Consignments of weapons and ammunitions destined for Somalia were smuggled

[34] Electronic communication, 12 December 2009. The Monitoring Group has not been able to independently verify this claim.

overland via eastern Ethiopia. Ethiopian soldiers reportedly captured some of the arms and ammunition near the border.

C. Diaspora support networks

71. The distinction between Somali residents and diaspora communities is exceptionally blurred. Many Somalis living abroad retain such strong links to their homeland that they are essentially "binational", travelling regularly and remaining active in social or political issues in Somalia. Many Somali Cabinet ministers and members of parliament hold foreign passports. Several key Shabaab and Hizbul Islam leaders, as well as a growing number of their foot soldiers, have lived abroad and retain active linkages to their host countries.

72. Support within the Somali diaspora for armed opposition groups reached its peak under Ethiopian occupation and has declined considerably since Sheikh Sharif was elected president. But residual networks, including die-hard extremists with transnational links, continue to fuel the insurgency. These networks of sympathizers and activists mobilize political and financial support, serve as forums for recruitment, and provide advice to prospective recruits and fighters. The importance of these networks has received unprecedented international attention in the past 18 months, owing to a small number of high-profile terrorism cases, but they are much broader, better established and serve more purposes than this handful of cases would suggest.

Kenya

73. Kenya hosts one of the largest Somali communities outside Somalia, although precise numbers are impossible to determine — in part because of the difficulty in distinguishing between Kenyan Somalis and long-term refugees or migrants from Somalia. Kenya's weak citizenship registration system compounds the problem, since it is as likely to deny documents to genuine Kenyan Somalis as it is to provide documents to non-Kenyan Somalis in exchange for bribes or influence.

74. Kenya's large Somali community, its proximity to Somalia and the notoriously porous border between the two countries all contribute to Kenya's emergence as a major base of support for Somali armed opposition groups. Members of Shabaab and Hizbul Islam travel with relative freedom to and from Nairobi, where they raise funds, engage in recruitment and obtain treatment for wounded fighters. A key pillar of this support network is a community of wealthy clerics-cum-businessmen, linked to a small number of religious centres notorious for their links to radicalism — notably the Abubakar as-Saddique mosque on 6th street, the Al-Hidaya mosque, Beit-ul-Mal Madrassa and the Masjid-ul-Axmar in Nairobi. The networks organized around these institutions have long provided both ideological leadership and a resource base for Somali militants.

75. The current imam of Abubakar as-Saddique mosque is Sheikh Mohamed Abdi Omar "Umal". Umal, a longstanding associate of Mohamed Sheikh Osman,[35] is an Ethiopian-born cleric and businessman who served as a vigorous advocate of the

[35] Mohamed Sheikh Osman was formerly the United Kingdom-based spokesman for Al-Ittihad Al-Islami and is currently an emissary for Hizbul Islam leader Hassan Dahir Aweys. Other Kenyan-based founders, including Adan Garweyne and "Boqolsoon", were killed in Somalia fighting for Al-Ittihad Al-Islami in the early 1990s. Operating out of an Eastleigh mosque, they engaged in regular fund-raising drives for their cause.

Union of Islamic Courts in 2006-2007. When UIC split in 2008 over the Djibouti peace process, Umal stridently opposed the peace talks, and subsequently rejected Sheikh Sharif's election as President of the Transitional Federal Government in January 2009. His opposition to the Transitional Federal Government also involved community mobilization and fund-raising. The Monitoring Group has received credible, detailed and specific information concerning Umal's participation early in 2009 in meetings with representatives of armed groups from Somalia, together with prominent members of the Eastleigh business community, in order to discuss logistical issues and raise funds for the armed struggle.

76. Under the spotlight of Kenyan and international media attention, however, in mid-2009 Umal began to change his tone and has ostensibly become an advocate of the Transitional Federal Government. In January 2010, he took a step further and denounced the *takfiri* practice of designating other Muslims as apostates in order to justify spilling their blood, posing a direct challenge to Al-Shabaab.[36]

77. Other radical figures have since succeeded Umal as advocates and ideologues of jihad — notably Umal's nephew and protege, Hassan Mahad Omar — better known to his audience as Sheikh Hassaan Hussein Adam and to his followers in Al-Shabaab as Abu Salmaan. Hassaan and his associates at the informal religious centre known as Masjid-ul-Axmar are not simply sympathizers of Al-Shabaab, but actually key figures in their outreach efforts to recruit new members and solicit funds. Hassaan's approach to fund-raising is remarkably aggressive: in a sermon on 4 February 2008, he stated:

> Funding the Jihad is an individual duty for every Muslim. If you cannot physically join the Jihad, then it is mandatory that you finance it. The small amounts of money collected from you for the Jihad are not donations for charity but an individual duty incumbent upon you. It is mandatory unlike the funds of alms collected for the Mujahidin. If the funds of alms for the Mujahidin become insufficient, then it is permitted to forcefully collect more funds. It is also permitted to shoot any obstructionist with five bullets.[37]

78. In April 2009, Hassaan headed a list of clerics invited to participate at an Internet discussion promoted by the Al-Shabaab-affiliated website alqimmah.net and the Dacwatutawxiid online forum; the discussion also headlined Shabaab leaders Mukhtar Roobow and Fu'aad Shangole, as well as Hizbul Islam leaders Omar Imaan Abubakar and Abdullahi Ali Hashi.[38]

Case study 2
Masjid-ul-Axmar (The Red Mosque)

Masjid-ul-Axmar (The Red Mosque) is a small, informal centre near Al-Hidaya mosque in Eastleigh, Nairobi. The leaders of Masjid-ul-Axmar actively engage in propaganda, fund-raising and recruitment on behalf of Al-Shabaab, together with known Shabaab leaders. The Monitoring Group has also received information that Shabaab leaders from Mogadishu were hosted by the leaders of this group on several occasions in 2009.

[36] http://www.halgan.net/view_article.php?articleid=13012.
[37] http://www.youtube.com/watch?v=YO32tllVTpM&feature=related.
[38] http://www.alqimmah.net/archive/index.php?t-4742.html.

One of the key leaders of the centre is Sheikh Hassaan Hussein, a 31-year-old cleric believed by the Government of Kenya to have obtained Kenyan nationality under false pretences. Hassaan vociferously opposed the Djibouti peace talks, denouncing participants as apostates.[a]

On 12 February 2009, following the signature of the Djibouti peace agreement and the election of Sheikh Sharif to the presidency, Hassaan issued a religious ruling (fatwa), calling for attacks on the newly constituted Transitional Federal Government and AMISOM troops. The ruling was initially posted in a Shabaab chat room on 17 February 2009, and subsequently to the Al-Shabaab-affiliated website, alqimmah.net.

In March 2009, Al-Shabaab leaders were deeply divided over the actions of Mukhtar Roobow in the Bay and Bakool regions. When Al-Shabaab had taken control of the Bay and Bakool regions two months earlier, they had also managed to capture Mohamed Ibrahim Habsade, a member of the Transitional Federal Government parliament and a member of the Mirifle/Leysaan sub-clan, like Roobow. Whereas Al-Shabaab's top leadership called for Habsade to be beheaded publicly, Roobow released him and allowed him to depart unharmed. Moreover, Roobow ignored appointments of regional government officials by the Al-Shabaab leadership, and named loyalists of his own to these posts. Some Shabaab leaders sought Roobow's dismissal and military action against him but, late in February, the group reached a common decision to dispatch a five-member team to meet with Sheikh Hassaan Hussein in Nairobi.

Hassaan ruled that Roobow's decision to release Habsade was correct to the extent that it prevents more serious dissension and strife between the Rahanweyne clan and the Mujahideen. In so doing, he was revealed to be not only an ideological leader of Al-Shabaab, but also one with direct engagement in their internal political and operational decisions.

Another key leader of Masjid-ul-Axmar is Mohamed Ma'alin Nahar, brother of the late Shabaab commander known as Abu Uteyba, who travels freely between Nairobi and Mogadishu. Nahar regularly engages in joint online forums with their counterparts at the Markaz-al-Salahudiin, the principal Shabaab recruiting and training centre in Mogadishu.

One such session audited by the Monitoring Group raised $20,000, to be remitted to a bank account in the United Arab Emirates. One particularly generous donor was rewarded with a promise that the next suicide bomber in Somalia would pray for her before going to his death. During other sessions, held in the aftermath of the twin suicide bombings of the AMISOM forces headquarters on 17 September 2009, Nahar kept listeners informed of the casualty toll and thanked them for their contributions to the struggle.

[a] http://www.xog-waran.com/xog-waran02Juley2009Gothenburg.html.

European connections

79. Early in July 2009, Hassaan visited another hub of opposition support activity, Sweden, where he attended the seventeenth Somali Islamic Convention hosted by the Bellevue mosque in Gothenburg. Hassaan's participation triggered demonstrations by Somalis in Sweden opposed to Al-Shabaab, but was defended by the mosque administration and conference organizers.[39]

80. Another high-profile participant at the Somali Islamic Convention was Yasiin Baynah, Secretary-General of ARS-Asmara and a founding member of Hizbul Islam. Baynah and Omar Shukri, a close aide to Hassan Dahir Aweys, were among a group of Somalis arrested by the Swedish authorities in February 2008 on charges of terrorism financing, but subsequently released for lack of evidence. Baynah and Shukri both returned to Somalia where they played key roles in the establishment of Hizbul Islam.[40] Late in April 2009, Shukri reappeared in the company of Hassan Dahir Aweys whom he accompanied on his return trip from Asmara to Mogadishu (case study 1, in section II.A above).[41] Meanwhile, Baynah continued to operate a successful travel agency in Stockholm specializing in transporting pilgrims to Mecca for the annual Hajj, but late in 2009 he was convicted by a Stockholm district court on charges of tax evasion, linked to the operation of an underground money transfer service.

81. The Monitoring Group has also learned that Hizbul Islam leaders, including Baynah, engaged in fund-raising for armed opposition groups on the sidelines of the Gothenburg conference. Likewise, on the sidelines of the first Somali Islamic Convention in Belgium on 27 and 28 June 2009, Hizbul Islam supporters organized a fund-raising drive, which collected over €25,000 for the organization.

Internet activism

82. The Internet continues to play an important role in propaganda, recruiting and fund-raising by Somali armed groups (see S/2008/769). The Monitoring Group has continued to watch and investigate some of the most salient websites and forums, which include:

Al-Shabaab[42]	alqimmah.net
	somalimemo.com
	ansarnet.info
	halganka.wordpress.com
	dacwatutawxiid.wordpress.com
	youtube.com/user/QolkaDacwatuTawxiid

[39] See, for example, "Gothenburg: Xasaan Xuseen speaks at 'Islam and peace' conference" (http://islamineurope.blogspot.com/2009/07/gothenburg-xasaan-xuseen-speaks-at.html).

[40] Both Baynah and Shukri possess Swedish travel documents.

[41] Shukri reportedly still travels freely between Somalia and Sweden.

[42] Websites cited in the December 2008 Monitoring Group report (S/2008/769) that have since become dormant or defunct include kataaib.net, baraawecity.wordpress.com and abushabaab.wordpress.com.

Hizbul Islam	jabiso.net
	somalimirror.com
	cadaalada.com
	halgan.net
Ahlu Sunna wal Jama'a	shaaficiyah.com
	www.ahlusunna.org

83. The most active online Al-Shabaab outlet is alqimmah.net, which was established in September 2007 as a forum for Golaha Ansaarta Mujaahidiinta (the Council of Supporters of the Mujahideen. Alqimmah not only disseminates Shabaab materials, but also participates in their production, making it an integral part of Al-Shabaab's *da'awa* (propagation) apparatus.

84. On 22 July 2009, alqimmah.net posted a 42-minute audio tape entitled *Sharif Muslim, Sharif Murtad* (Sharif the Muslim, Sharif the Apostate), for which it claims credit for writing and production.[43] The recording casts President Sharif as the leader of a heretical regime, and AMISOM forces as infidel invaders, and urges listeners to support jihad against them. The propaganda section of Al-Shabaab subsequently claimed to have distributed this widely throughout Somalia.

85. Less than one month later, on 15 August 2009, alqimmah posted a link to a book entitled *The Science of Explosions and Explosives* written by a man by the name of Abu Hafs al-Lubnaani.[44] The intention of the posting was apparently to make available to Shabaab supporters and sympathizers knowledge pertinent to bomb-making.

86. On 30 August 2009, alqimmah posted a 47-page religious ruling[45] (fatwa) issued in Arabic by Sheikh Hassaan Hussein (see case study 2 above) against the outcome of the Djibouti peace process. The fatwa has provided the Somali Islamist groups in general and Al-Shabaab in particular with alleged religious justifications for waging a jihad against the Government of Somalia as an apostate regime.

87. On 20 January 2010, alqimmah posted a six-minute jihadist *nasheed* (religious song or chant) entitled *Nairobi Tutafika*[46] by Al-Shabaab militants threatening to enter Kenya and march on Nairobi. In an introduction to the song, alqimmah stated that the song was motivated by the arrest three weeks earlier of the Jamaican preacher, Abdulla al-Faisal, in Nairobi, who was convicted and imprisoned in Britain for inciting racial hatred. Chanted in Swahili and interspersed with speeches and the sound of gunfire, the posting was apparently intended to incite and inspire greater militancy among Al-Shabaab supporters in Kenya.

88. The alqimmah.net website is registered in Sweden in the name of Abdu-Raouf (Ralf) Wadman (also known as Usama el-Swede), a Swedish convert to Islam based

[43] Alqimmah.net, 23 July 2009, "Sharif Muslim, Sharif Murtad" (http://www.alqimmah.net/showthread.php?t=6600).

[44] http://www.alqimmah.net/showthread.php?t=8793.

[45] http://www.alqimmah.net/showthread.php?s=518dd346c94c9e71d3963fc6e25a71db&t=9498.

[46] "We will arrive in Nairobi"; accessed at http://www.alqimmah.net/showthread.php?p=25882#post25882.

in Gothenburg, who has been linked to a variety of extremist figures and causes. One of its administrators is Musa Said Yusuf "Godir". On 28 May 2008, Godir was arrested in London, together with Ahmed Said Mohamed "Faarax-Deeq", administrator of another Al-Shabaab-affiliated website, and charged with a variety of offences under British anti-terrorism legislation.

89. Both men were subsequently cleared of the charges and released.[47] On the night of 28 July 2009, participants in an Al-Shabaab online forum celebrated the release of Faarax-Deeq and he briefly addressed the group. On 9 August 2009, a group of Somalis including members and supporters of ARS-Asmara hosted a reception for Faarax-Deeq and Godir in Leicester, United Kingdom. One objective of the party was to express gratitude to a "core team", including ARS-Asmara spokesman Zakaria Mohamud Haji Abdi, for their efforts towards the release of two men.[48]

90. Such "virtual" cooperation between armed opposition groups is not unusual. Al-Shabaab and Hizbul Islam have regularly conducted joint forums, achieving a greater degree of cooperation in cyberspace than they do on the ground. For example, a forum late in March 2009 included Sheikh Fu'ad Mohamed Khalaf (Al-Shabaab), Ma'allin Burhan (Al-Shabaab) and Abdullahi "Khadaab" Haji Yusuf (Secretary-General of Hizbul Islam). Likewise, a three-day, live fund-raising event late in May 2009 involved Abdullahi "Khadaab" (Hizbul Islam), Abdullahi Ali Hashi (Hizbul Islam) and Mukhtar Roobow (Al-Shabaab).

91. Al-Shabaab have also used such Internet forums to highlight their cooperation with the *Muhaajirun* — foreign fighters who have joined their struggle. During the second week of July 2009, for example, Fu'aad Shangole and Ma'allin Burhan related to participants of an online forum the proceedings of a ceremony held at the Salahudiin Islamic Centre to thank the foreigners and, reportedly, to celebrate the marriage of some 50 of them to Somali women as a way to integrate them into Somali society. The message was unmistakably to assure potential foreign volunteers that they could expect a similarly warm welcome if they joined the cause.

Fund-raising

92. On the night of 30 August 2009, Al-Shabaab commenced in its online forum a two-week fund-raising event for its fighters in the regions of Hiraan, Bay/Bakool and Gedo. Al-Shabaab's Salahudiin Centre in Mogadishu directly coordinated and facilitated the event, which was attended by hundreds of participants in the diaspora. The Al-Shabaab Governor of Bay/Bakool, Mahad Omar Abdikarim, the Governor of Hiraan, Abukar Ali Aden, and the Deputy Governor of Gedo, Ma'allin Osman, briefed the forum on the hardships facing the mujahideen and their families in those regions as victims of drought and conflict. The forum participants made pledges totalling over $40,000.

93. Further, Al-Shabaab leaders requested the forum participants to spread the news of the fund-raising among the Somalis in the diaspora by word of mouth and that the cash contributions be sent through a hawala to a name and telephone number they had provided as their point person in Mogadishu.

[47] The prosecution has appealed and the case was still ongoing at the time of writing.

[48] See article and images at alcarab.com, 10 August 2009, accessed at http://alcarab.com/warka/?id=3741.

Recruitment

94. Internet activism and diaspora support networks are also used for recruitment purposes. Over the course of the Monitoring Group's mandate, international attention was especially drawn to the recruitment of young men and women of Somali origin from Western countries into the rank and file of Al-Shabaab — some of whom were subsequently deployed as suicide bombers. Other cases involved the inspiration or incitement to conduct terrorist activities on foreign soil.

95. Al-Shabaab sought to exploit such publicity by displaying young people from the diaspora for propaganda purposes. On 5 April 2009, a group of roughly a dozen Al-Shabaab fighters claiming to be returnees from Europe and North America held a press conference in Kismaayo.[49] One such individual, calling himself Abdifatah, claimed to be a returnee from the United States who studied at Markaz-al-Salahudiin in Mogadishu and personally knew the suicide bombers in Boosaaso and Hargeysa. The Monitoring Group believes that Abdifatah, who is still in Somalia and now goes under a new pseudonym, has since risen to become a senior figure in the ranks of Al-Shabaab.

96. Recruitment into the ranks of the Union of Islamic Courts, of which Al-Shabaab was a part, began at least as early as 2006, when a group of young British Somalis travelled to fight in Mogadishu. According to multiple sources the leader, named Magan Mohamed Haashi "Abu Maryam", died fighting for Al-Shabaab in Hodan district.[50]

97. By 2007, possibly earlier, recruitment had also started among ethnic Somali youth in the Minneapolis-Saint Paul area of the United States. But the trend went largely unnoticed until the death of the first known American suicide bomber, Shirwa Ahmed, in Boosaaso in October 2008.

98. By the time of Shirwa's death, other Somali-American recruits were already in Somalia. According to United States court documents, Salah Osman Ahmed travelled to Somalia in December 2007, where he trained with Al-Shabaab. Following his return to the United States, he was indicted in February 2009, where he pleaded guilty to one count of providing material support to terrorists.[51] Similar indictments were handed down against Abdifatah Yusuf Isse.

99. The flow of recruits continued throughout 2008. A 17-year-old, Burhan Hassan, left Minneapolis for Somalia on 4 November 2008 to train with and fight for Al-Shabaab, and was killed on 5 June 2009 in Mogadishu. Zakaria Ma'ruf, a relative of Somali politician Ali Khalif Galaydh, left Minneapolis for Somalia in the spring of 2008, where he joined Al-Shabaab. Between May and June 2009 he was reportedly sighted in Nairobi, attending the Abubakar as-Saddique Islamic centre in Eastleigh. Zakaria returned to Mogadishu where he was killed in July 2009.

100. On 3 December 2009, an ethnic Somali from Denmark detonated an explosive vest while taking part at a graduation ceremony for medical students from Banaadir University. The bomb killed 24 people, mainly students. The other fatalities included two doctors, three journalists and four ministers of the Transitional Federal Government. Approximately 60 people were reported injured. Although the

[49] http://www.alqimmah.net/showthread.php?t=4619.

[50] One version is presented at http://www.alqimmah.net/showthread.php?t=3988.

[51] http://www.nytimes.com/2009/07/14/us/14somalis.html.

spokesman for Al-Shabaab, Ali Mohamud Raghe, publicly denied responsibility for the blast, the Monitoring Group has listened to online forums at which Shabaab leaders have claimed the suicide attack as a victory, and informed participants that the bomber's wife, who is also trained for suicide operations, was held back at the last moment due to pregnancy, but for a future opportunity.

101. The Government of Sweden estimates that at least 20 Swedes of Somali origin have joined armed opposition groups. One of them, Shu'ayb Ali Hassan, from the Stockholm suburb of Rinkeby, was initially recruited into the Anoole faction of Hizbul Islam, he reportedly requested a transfer to Al-Shabaab, where there were more young people from the diaspora for him to socialize with. He was killed on 2 July 2009 while fighting for Al-Shabaab in Mogadishu.

102. Similar disappearances have now been reported from ethnic Somali families in Canada and the United Kingdom, and others will no doubt come to light.

From support to operations

103. During the course of 2009, there were indications that some of Al-Shabaab's supporters in the diaspora were beginning to take an interest not only in support but also in operations.

104. In Australia, a group of young men charged with planning to attack a Sydney military base sought encouragement and support from a man the Monitoring Group believes to be Ahmed Abdirahman Siiro, then Shabaab Governor of the Lower Shabelle region and now a senior adviser to Al-Shabaab leaders. In Sweden, a cartoonist reportedly received threatening telephone calls from a Swedish-speaking man calling from Somalia.[52] The United States embassy in South Africa briefly closed in September 2009 in response to a threat involving Somali extremists. On 1 January 2010, another Somali with alleged ties to Al-Shabaab and Al-Qaida East Africa was shot and arrested in Denmark in connection with an attack on a Danish cartoonist; the same man had reportedly been detained in Kenya because police suspected that he was planning an attack on a visiting delegation headed by the United States Secretary of State.[53]

105. The Monitoring Group believes that this trend will continue in the near future, as Al-Shabaab frustration with the ongoing stalemate — or possible political and military reverses — induce them to externalize the conflict and strike at perceived backers of the Transitional Federal Government, Puntland or Somaliland.

Recruitment, kinship and fraud

106. Although Somalis from a wide variety of clans have been recruited in this way, there is little doubt that recruiters are taking advantage of kinship in order to identify prospective recruits, win their trust and exploit community solidarity to escape the attention of the authorities.

107. In Minneapolis, for example, Monitoring Group investigations indicate that more than half of the 20 young people known to be missing had at least one parent

[52] http://www.thelocal.se/24198/20100104/.

[53] At an online forum entitled *Huda-Wa-Nuur* (Guidance and Light) on 6 February 2010, Hassaan Hussein praised the suspect for his actions. The forum was hosted by alqimmah.net and the Somali Islamic Dacwatutawxiid Center (accessed at http://alqimmah.net/showthread.php?p=26677#post2667).

from the Harti sub-clan of the Daarood. Three of the five Somali Minnesotans killed while fighting for Al-Shabaab belonged to the Omar Mohamud sub-clan of the Harti/Majeerteen, and the fourth's mother was also from the Harti. In Sweden, Shu'ayb Ali Hassan, himself a member of the Rahanweyne clan, was initially recruited into a Harti fighting force by maternal relatives from the Siwaaqroon sub-clan of the Harti/Majeerteen.

108. The selective clan trend in the recruiting patterns investigated by the Monitoring Group appears to have been compounded by circumstances of social or familial dislocation. In at least four of the cases investigated by the Monitoring Group, young people had been granted entry into the United States on false pretences, including being lodged with families not their own.

D. Armed groups and immigration fraud

109. The activities of Somali armed groups beyond Somalia's borders are facilitated by the widespread practice of immigration fraud. The Monitoring Group has learned that members of Al-Shabaab, Hizbul Islam and pirate militias have taken advantage of this practice in order to gain entry into various European countries, and probably several destinations in North America and Asia also.

110. The practice of visa fraud represents an extraordinary abuse both of official privilege and of international goodwill towards Somalia. Many foreign governments accept visa requests from Somali officials as a diplomatic courtesy, and in order to assist the Transitional Federal Government in its efforts to solicit support from the Somali diaspora and the international community. Others offer visas to help war-affected families or needy students to seek a better life. In exchange for this privilege, Somali ministers, members of parliament, diplomats and freelance "brokers" have transformed access to foreign visas into a growth industry matched possibly only by piracy, selling visas for $10,000 to $15,000 each. Among those who can afford to pay such sums are individuals who profit from piracy, and leaders of armed groups.

How it works: ministers, members of parliament, diplomats and brokers

111. Visa fraud involving Transitional Federal Government officials and members of parliament is among the most brazen. Politicians claim that they need to travel on official business, such as an invitation to address a diaspora group or attend a conference, accompanied by a bogus delegation of government officials (and occasionally family members). Such requests are typically accompanied by a note verbale or other introductory document from the Somali Embassy, often with a supporting letter from a minister, the Speaker of Parliament or one of his deputies. If the request meets with approval, the other members of the delegation pay as much as $15,000 each for the opportunity to travel. Many do not return.

112. Officials at the Somali Embassy in Nairobi, including Ambassador Mohamed Ali Nur "Ameriko", reportedly play a central role in this scheme. One senior embassy official has acknowledged to the Monitoring Group that the problem exists, but blames senior government officials including the Prime Minister and the Speaker of Parliament for imposing such requests upon the Embassy. Ambassador "Ameriko" has denied any personal involvement in fraud, and emphasized that the Embassy has no authority to screen visa requests from Transitional Federal

Government ministers or members of parliament. But he confirmed to the Monitoring Group that he has received complaints about the practice from other embassies, which he has conveyed to his Government.

113. The Italian Embassy in Kenya has also been implicated in this practice. Many Somali emigrants use Italy only as a gateway to Europe, settling in third countries. Although costs may vary, the average fee for a visa to Italy is reportedly from $12,000 to $13,000 for a man and $15,000 for a woman. Payment is put in an escrow account with a money transfer organization until the client arrives at his or her destination in Rome. The proceeds are roughly evenly shared between the broker and concerned embassy officials.[54] Upon the client's arrival in Italy, a secondary smuggling network takes over, often providing a falsified Italian residence document (for an additional $3,000) and arranging onward travel to another European country: cases investigated by the Monitoring Group suggested Sweden as a popular destination.

114. In response to a Monitoring Group query, the Italian Ambassador to the Transitional Federal Government, Stefano Dejak, described measures he has taken to try to curb the practice. In February 2009, he conveyed his concerns in a letter to the Prime Minister of the Transitional Federal Government, and in May 2009 proposed a meeting of the European Union task force on immigration issues to specifically address the Somali issue — both to no effect. In September 2009, he again addressed an e-mail to the Prime Minister, complaining that the number of illegitimate visa requests presented by Somali members of parliament continued to grow, and that he had recently rejected 50 of them. Ambassador Dejak says his authority, however, is limited to requests of a political nature, not to routine visa requests fielded by the Italian Embassy to the Kenyan consular section, where the majority of applications are processed.

115. Monitoring Group investigations have linked a number of senior officials of the Transitional Federal Government to the practice of visa fraud, including the Deputy Prime Minister and Minister of Fisheries, Abdirahman Ibrahim Adan Ibbi, the Minister for Women's Affairs and Gender, Fowsiya Mohamed Sheikh, and the Minister of Constitutional Affairs, Madoobe Nunow Mohamed.[55] The Constitutional Minister is a repeat offender: in April and June 2009 he organized delegations to attend a constitutional training workshop in Germany convened by a prestigious institution, as part of the UNDP-coordinated constitution-building activities in Somalia. The delegations included members of the Independent Federal Constitutional Commission, private individuals masquerading as ministry officials, and relatives of the Minister. At least eight of these individuals, including Nunow's son, subsequently "disappeared". With the exception of his relatives, the Monitoring Group has learned that those who did not return paid the Minister $14,000 per visa. Subsequently, five of the individuals claimed political asylum in the Netherlands. Nunow has since submitted similar requests to other European embassies in Nairobi.

116. One of the most prominent "brokers" is a Somali member of parliament and former member of the African Union Parliament named Abdiaziz Abdullahi

[54] Multiple Monitoring Group sources have identified a female consular officer at the Italian Embassy as the principal point of contact for fraudulent visa requests.

[55] Other Transitional Federal Government and Puntland ministers have been involved in cases where fraud was suspected but, since visas were denied, it is not possible to ascertain whether there would actually have been fraud.

Mohamed "Abdi-hukun".[56] A Kenyan resident since 1997 and Somali member of parliament since 2004, Abdiaziz possesses an African Union passport, despite having lost his seat in the African Union Parliament more than five years ago, as well as a Swedish travel document. Together with another Swedish Somali resident, formerly based in Kismaayo with Al-Shabaab, Abdiaziz facilitates the movement through Kenya of Somali diaspora youth seeking to join Somali armed opposition groups.[57]

117. In April 2009, Abdiaziz requested visas from the Italian Embassy for two members of his family. The visas were issued and the men travelled to Milan, but subsequently left Italy with fraudulent papers for a third country. Monitoring Group investigations offer grounds to believe that both men were in fact members of an armed opposition group — allegedly Al-Shabaab.

118. The Monitoring Group has learned of several other cases in which members of armed opposition groups have obtained visas to Europe on fraudulent grounds, including at least one member of Al-Shabaab and seven members of Hizbul Islam. In addition, a Hizbul Islam commander relocated his family to Sweden in mid-2009, and could potentially join them at some future time under a family reunification programme. The Al-Shabaab figure reportedly facilitated the movement of foreign fighters out of Somalia early in 2007, after the Ethiopian intervention, and has since settled in Sweden.

119. Pirates have also exploited immigration fraud. The Monitoring Group is aware of several members of a Puntland-based pirate militia who obtained asylum and travel documents in Europe during the course of 2009. One obtained asylum in Sweden, one travelled via Italy to the Netherlands and one reportedly obtained entry into the United Kingdom. All three subsequently returned to the region to resume their involvement with pirate militias.

120. These cases represent just a glimpse of a far larger phenomenon. Information obtained by the Monitoring Group indicates that a large number of countries beyond Western Europe, including Turkey, the Russian Federation, South Africa and Ukraine are also affected by this phenomenon. The scope for exploitation by members of Somali armed opposition groups and criminal networks is equally vast.

III. Acts of armed criminal groups that threaten peace and security

A. Maritime militias: recent developments, trends and patterns

121. Despite the coordinated efforts of 45 countries and 7 international organizations, acts of piracy and armed robbery at sea launched from Somalia have increased since the Monitoring Group described the phenomenon in its report of December 2008 (S/2008/769). During the course of 2009, the International Maritime Bureau Piracy Reporting Centre registered a total of 217 attacks by Somali pirates

[56] The Monitoring Group is also investigating other "brokers", including the wife of a prominent Somali businessman resident in Nairobi who reportedly operates with the female consular officer at the Italian Embassy.

[57] Both are from the minority Galgale clan.

around the Horn of Africa, an increase of 95 per cent over the previous year.[58] Of the vessels attacked, 47 were successfully hijacked, representing an estimated $82 million in ransom money.[59] As 2009 came to a close, 12 vessels and 263 crewmembers were still being held captive.

122. Arguably the main effect of international counter-piracy efforts has been to shift pirate areas of operation away from the Gulf of Aden into the Indian Ocean, and towards hunting grounds increasingly distant from the Somali coast. Pirate assaults up to 800 nautical miles off the coast of Somalia have now become common, as the use of "mother ships" permits pirates to stay at sea for longer periods. In 2009, six ships were attacked and three hijacked beyond 800 nautical miles from the Somali coast. With their extended reach, pirates have also demonstrated their proficiency in attacking larger and faster vessels, such as the MV *Asian Glory*, a United Kingdom-flagged vehicle carrier with a 23-m freeboard, hijacked 600 nautical miles (1,111 km) off the Somali coast on 1 January 2010, during the north-east monsoon.

123. Another shift in pirate operating patterns has been the declining importance of Eyl as a harbour and hostage holding ground, in favour of Gara'ad (also in Puntland), Xarardheere and Hobyo (central Somalia), and to a lesser extent Laasqoray (in eastern Sanaag region, which is territory contested by Somaliland and Puntland).

124. These advancements in piracy operations, while disturbing, are less dramatic than often portrayed. The Monitoring Group has found no evidence to support the widespread reports of sophisticated weaponry, boarding equipment or intelligence.[60] On the contrary, most pirate attacks appear to be random and opportunistic: on at least three occasions known to the Monitoring Group, pirates have mistaken naval vessels for merchant ships.[61]

B. Piracy and armed robbery at sea

125. It has become conventional wisdom that piracy off the Horn of Africa can only be comprehensively defeated only on land, not at sea. Considerable attention has been devoted to the socio-economic drivers of piracy, as well as the grievances of Somali fishing communities against foreign vessels engaged in illicit and damaging exploitation of Somali marine resources. Although the Monitoring Group does not deny the legitimacy of these arguments — and has indeed cited them in its reports of November 2003 and December 2008 — investigations over the course of the

[58] However, the number of pirate attacks resulting in successful hijackings in 2009 was only 22 per cent, a decrease of 16 per cent over 2008.

[59] Ransom payments are generally confidential and accurate figures are difficult to obtain. However, military sources estimate that the average ransom payment per ship increased to $1.75 million in 2009, compared to $1.25 million in 2008. The highest reported ransom payment during the course of the mandate was $5.5 million; the lowest $100,000.

[60] An illustrated description of pirate arms and equipment may be found in annex II.

[61] The three incidents involved the German naval tanker FGS *Spessart* (29 March 2009 in the Gulf of Aden), the French light surveillance frigate *Nivôse* (3 May 2009 in the Indian Ocean, 620 nautical miles east of Mombasa) and the French naval command and supply ship *La Somme* (7 October 2009 in the Gulf of Aden, 250 nautical miles off the coast of Somalia). In all three cases, the attacks were repelled, pirate skiffs and equipment were seized, and some of the pirates were arrested.

mandate leave no doubt that they are at best of secondary, and in some cases of peripheral, importance in understanding and curbing the piracy phenomenon.

126. Piracy operations continue to be anchored in two principal locations: the coast of Puntland and the central Somalia littoral east of Xarardheere and Hobyo. These areas are unique neither in their proximity to shipping channels nor in the poverty of their communities. Were these the principal factors, pirate bases should have emerged along the Somali coast from Loy'addo, near Djibouti, to Kaamboon on the Kenyan border. The fact that it has not happened requires some analysis.

127. Exploitation of Somali marine resources is a reality, but it is by no means a preoccupation of Somali pirates or their backers. In 2009, only 6.5 per cent of Somali pirate attacks were aimed at fishing vessels, of which only one — the *Artxa* — is confirmed to have been in Somali territorial waters at the time.[62] This is a surprisingly low figure, given that fishing vessels are generally easier to seize than cargo vessels, but may be explained by the fact that they generally generate a smaller ransom.[63] However, it is also explained in part by the fact that many of the foreign fishing vessels engaged in illicit and excessive exploitation of Somali marine resources are in fact "authorized" to do so by local authorities, and therefore enjoy a degree of protection from pirates.

128. The Somaliland coastline is closest to international shipping lanes through the Bab-el-Mandeb and the Gulf of Aden, and should therefore offer better hunting grounds for pirates, but unlike Puntland, the Somaliland authorities and community leaders have adopted a firm and decisive posture against piracy. Visiting Hargeysa and Berbera in October 2009, the Monitoring Group had the opportunity to observe the counter-piracy efforts of the Somaliland authorities. Despite very limited means,[64] the coastguard patrols 850 km of coastline and maintains a dozen manned observatories, which are alerted and informed by the local community of any suspicious activity in the area.

129. Moreover, the Monitoring Group has found no evidence to support allegations of structured cooperation between pirate groups and armed opposition groups, including Al-Shabaab. To the extent that such linkages may exist, the Monitoring Group believes that they represent highly localized, small-scale arrangements between individuals, such as Abdulrisaaq Sheikh Ahmed Geedi, who is suspected of involvement in a number of hijackings, as well as of personal links to Al-Shabaab. The Monitoring Group does not believe that such a case is evidence of a wider pattern.

130. In sum, the Monitoring Group considers Somali-based piracy to be a fundamentally criminal activity attributable to specific militia groups and "families". In central Somalia, the Afweyne family has succeeded in co-opting

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[62] According to International Maritime Bureau figures, 14 fishing vessels were attacked of which 11 were successfully hijacked. The European Union Naval Force (EU NAVFOR) records 15 attacks on fishing vessels, of which 12 were hijacked. IMB believes that two other fishing vessels, the *Mumtaz 1* and the *Samara Ahmed*, were also seized in Somali waters, but EU NAVFOR is unable to provide positions for these vessels.

[63] Somali pirates apparently prefer to use captured fishing vessels as mother ships, rather than to ransom them.

[64] The Somaliland coastguard was established at the end of 2005 and falls under the Ministry of the Interior of Somaliland. It has 350 personnel, 3 vehicles, 10 to 15 small speedboats with outboard engines and 3 larger patrol boats with anti-aircraft guns mounted on the bow.

elements of the local community, mainly from the Habar Gidir Saleebaan sub-clan, through the distribution of wealth. In north-eastern Somalia, pirate leaders have compromised State institutions at both the local and central levels by co-opting and corrupting government officials.

C. Pirate militias and networks

131. At the end of 2008, the Monitoring Group identified two major piracy networks operating along the Somali coastline: one from Puntland (north-eastern Somalia) and one from central Somalia near Xarardheere and Hobyo. The Monitoring Group described in great detail how these pirate networks are organized and structured, identified their leaders, their bases, where they are operating from and the modus operandi of their operations (see S/2008/769).

132. Over the course of the current mandate, these militias have expanded their membership and extended their operations to new areas.[65] In central Somalia, pirates have reportedly launched missions from coastal areas further south, but they continue to anchor their hijacked vessels near Xarardheere and Hobyo. In north-eastern Somalia, international counter-piracy operations and a limited degree of domestic pressure from local authorities and community leaders have displaced some piracy activity from the former hub at Eyl to Gara'ad further south and Laasqoray to the west.

Central Somalia

133. Since October 2009, the main focus of pirate attacks has shifted from the Gulf of Aden to the Indian Ocean. This shift has reinforced the importance of piracy hubs at Xarardheere and Hobyo in the southern Mudug region. Xarardheere, located about 18 km from the coast of the Indian Ocean, is inhabited predominantly by members of the Habar Gidir Saleebaan sub-clan and serves as the home base of one of the most influential pirate leaders in central Somalia, Mohamed Hassan Abdi "Afweyne".[66] Afweyne, a founder of the central Somalia piracy network, has been cited in previous Monitoring Group reports for his lead role in pirate operations based in Xarardheere and Hobyo from 2004 to 2007 (see S/2006/229 and S/2008/274).

134. While Afweyne has been less visible during the course of the current mandate, his leadership role in operations appears to have been adopted by his son Abdiqaadir. Credible sources have confirmed Afweyne's and Abdiqaadir's involvement, individually or jointly, in the hijackings of at least seven vessels during the course of the mandate: the passenger cruise ship *Indian Ocean Explorer* (2 April 2009), the container ship *Hansa Stavanger* (4 April 2009), the dredger *Pompei* (18 April 2009), the bulk carrier *Ariana* (2 May 2009), the fishing vessel

[65] The pirates' typical "business model" has also evolved. For a description of a current model, see annex III.

[66] Afweyne is a nickname meaning "big mouth" in Somali.

Alakrana (2 October 2009), the container ship *Kota Wajar* (15 October 2009) and the bulk carrier *Xin Hai* (19 October 2009).[67]

135. The Monitoring Group is concerned by reports that Afweyne, and possibly other pirate leaders, may have attracted the sympathy of the Government of the Libyan Arab Jamahiriya. Multiple media sources, as well as Monitoring Group contacts, reported Afweyne's presence in Tripoli as an invited guest at a four-day celebration in honour of the President of the Libyan Arab Jamahiriya, from 1 to 4 September 2009.

136. On 23 September 2009, in his statement before the General Assembly of the United Nations in New York, the President of the Libyan Arab Jamahiriya, Mu'ammar Qadafi, acknowledged that he had met with Somali pirates, spoke in their defence and called upon States to respect Somalia's exclusive economic zone.

Piracy and the Puntland administration

137. In contrast with central Somalia, where piracy may be accurately described as a product of statelessness and warlordism, in north-eastern Somalia it benefits from the patronage and protection of State institutions. After 12 years of relatively positive evolution in Puntland, the newly established administration of Abdirahman Mohamed "Faroole" is nudging Puntland in the direction of becoming a criminal State. Monitoring Group investigations, involving interviews with sources possessing first-hand knowledge of piracy operations, ransom negotiations and/or payments, have confirmed that senior Puntland officials, including President Faroole and members of his Cabinet, notably the Minister of the Interior, General Abdullahi Ahmed Jama "Ilkajiir" (see case study 3 below) and the Minister for Internal Security, General Abdillahi Sa'iid Samatar, have received proceeds from piracy and/or kidnapping.

138. There have been some indications during the course of the mandate that Puntland has made increased efforts in the battle against piracy. During the course of 2009, President Abdirahman Mohamed "Faroole" has publicly condemned piracy on several occasions and the authorities have arrested and convicted a number of pirates, seizing weapons and equipment. In spite of these gestures, however, pirate activity off the coast of Puntland has increased, senior pirate leaders remain at liberty and without apparent fear of arrest, and in some cases the Puntland authorities have extended protection to pirate militias.

[67] Hijackings in which the Monitoring Group believes Afweyne's militia to have been involved include: MV *Semlow* (26 June 2005), MV *Feisty Gas* (currently named *Gaz Zael*, 10 April 2005), MV *Rozen* (25 February 2007), MV *Danica White* (2 June 2007), FV *Playa de Bakio* (20 April 2008), MV *Stella Maris* (20 July 2008), MV *Bunga Melati Dua* (18 August 2008), MV *Centauri* (17 September 2008), MV *Captain Stefanos* (21 September 2008), MV *Faina* (25 September 2008), MV *Stolt Strength* (10 November 2008), FV *Tian Yu No 8* (15 November 2008) and MV *Sirius Star* (15 November 2008).

Case study 3
The eastern Sanaag pirate militia

The rugged, mountainous terrain of eastern Sanaag region, inhabited mainly by members of the Warsengeli sub-clan of the Harti Daarood, has long been associated with smuggling and arms trafficking. In its report of December 2008, the Monitoring Group described the emergence of a Shabaab-affiliated militia headed by a Warsengeli former arms dealer (see section IV.A. below). Since 2008, eastern Sanaag has also become associated with another threat to peace and security: piracy.

On 23 June 2008, a German sailing yacht named *Rockall* was seized by pirates in the Gulf of Aden and anchored at the port village of Laasqoray. The retired German couple who owned and crewed the yacht were taken ashore and force-marched into the mountains, where they were held for 52 days before being released in exchange for ransom alleged to have been $1 million.[a]

The man responsible for the hijacking of the *Rockall* was named Fu'aad Warsame Seed, also known as "Hanaano", a 45 to 50-year-old member of the Warsengeli/Reer Haaji sub-clan who learned his piracy skills while operating from Eyl. His earnings enabled him to return home and establish a militia of his own, approximately 50 to 60 men equipped with several gun-mounted "technical" vehicles, PK general purpose machine guns, RPG launchers, a combination of Heckler and Koch G-3 semi-automatic rifles, AK-47s and SAR-80 assault rifles. Other senior members of the militia include Hanaano's son, Omar Hassan Osman "Baqalyo", and Ali Dhego-Libaax.

Following the release of the *Rockall*, Hanaano and his militia went on to hijack the Turkish chemical tanker *Karagöl* (12 November 2008), two Egyptian fishing vessels, *Mumtaz 1* and *Samara Ahmed* (10 April 2009) and the Italian tugboat *Buccaneer* (11 April 2009).

After this string of successes, Hanaano's pirates were due for some bad luck. On 29 April 2009, 13 men armed with two G-3 and five AK-47 assault rifles set out into the Gulf of Aden in two skiffs, in search of a vessel to attack. After a few days, the failure of one outboard engine obliged them to head for home, but on the way back they ran out of fuel. On 5 May 2009, after six days at sea and drifting to the east of Berbera, they were spotted by the Somaliland coastguard and, after a brief exchange of fire in which two pirates were injured, they were taken into custody.

On 15 October 2009, Hanaano's luck apparently ran out altogether. Having set out to sea two days previously in a skiff and two dhows, Hanaano and seven of his militia were reportedly arrested in Yemeni waters and eventually imprisoned in Sana'a. However, at the time of writing the Government of Yemen had yet to respond to a Monitoring Group request for confirmation of this information.

Hanaano's best hope for release from Yemeni jail probably lies with the Puntland Minister of the Interior, General Abdullahi Ahmed Jama "Ilkajiir", a former military officer and a member of the Warsengeli sub-clan, like Hanaano. Ilkajiir returned to Somalia from the United States late in 2008 to contest the Puntland presidency. According to multiple independent sources, Hanaano contributed over $200,000 to Ilkajiir's political campaign. Ilkajiir ultimately lost the election to Abdirahman Mohamed "Faroole" — who benefited from much larger pirate contributions to his political war chest — and was awarded the post of Minister of the Interior.

The relationship between the two men has since served Hanaano and his men well. Shortly after his appointment, Ilkajiir reportedly proposed Hanaano for the position of "Eastern Sanaag Coastguard Commander". In August 2009, the Egyptian crew of the *Mumtaz 1* and the *Samara Ahmed* revolted and overpowered their pirate captors, whom they subsequently handed over to the Egyptian authorities. Ilkajiir immediately spearheaded efforts by the Puntland authorities to have the pirates — all members of Hanaano's militia — released, and in September 2009 the Government of Egypt repatriated the prisoners to Puntland.[b]

On 30 November 2009, Puntland security forces reportedly arrested Omar Hassan Osman "Baqalyo" in Boosaaso on charges unrelated to piracy. Once again Baqalyo was allegedly released on 5 December 2009, by order of Puntland's Minister of the Interior, General Abdullahi Ahmed Jama "Ilkajiir".[c]

[a] According to independent, corroborating sources interviewed by the Monitoring Group, over 30 per cent of the ransom payment was retained by Puntland government officials.

[b] Monitoring Group requests to obtain additional information were unsuccessful, in part because, according to the Government of Egypt, all communications related to this issue were verbal in nature.

[c] The Monitoring Group believes that Baqalyo was apprehended together with Hanaano and is currently in Yemeni custody.

139. Probably the most notorious pirate leader in Puntland goes by the name Abshir Abdillahi "Boyah", who is approximately 44 years old and originally from the coastal town of Eyl.[68] In previous reports, the Monitoring Group has identified Boyah as a principal organizer and financier of pirate activity in 2008. Independent and intelligence reports received by the Monitoring Group have confirmed his involvement in piracy. Boyah himself has publicly admitted to being the commander of a maritime militia consisting of approximately 500 pirates. By Boyah's own account, his militia is responsible for hijacking between 25 and 60 shipping vessels since the mid-1990s, including the Japanese-owned chemical tanker *Golden Nori*

[68] Boyah has numerous aliases and was identified in the Monitoring Group's report of December 2008 (S/2008/769) as Farah Hirsi Kulan. Like President Faroole, Boyah is a member of the Majeerteen/Issa Mohamud/Musa Issa sub-clan.

(28 October 2007) and the French luxury yacht *Le Ponant* (4 April 2008), for which Boyah received $1.5 million and $2 million respectively in ransom payments.

140. The Puntland leaders not only are well aware of Boyah's activities but also tolerate them. In April 2009, two foreign journalists separately interviewed Boyah, one of whom acknowledged the assistance of President Faroole's son Mohamed (now the President's media adviser) in arranging the meeting.[69] For the other interview, Boyah was obliged to "cut right through a crowd of Puntland soldiers" in order to enter a local restaurant.[70] In an interview in August 2008 with Garoowe-online, a website affiliated with the current Puntland administration, Boyah claimed that Puntland leaders were complicit in piracy and received 30 per cent of ransom payments. In May 2009, Boyah attended a ceremony with local government officials in Eyl, where he claimed that, together with 180 of his militia, he had realized that piracy was unlawful and had ceased his activities. The Puntland authorities have since made no move to apprehend him and declined to respond to a Monitoring Group request for information concerning measures taken to curb his activities.

Case study 4
Mohamed Abdi Garaad and the obstruction of humanitarian assistance

Another notorious Puntland pirate leader cited in the Monitoring Group's December 2008 report is Mohamed Abdi Garaad.[a] He is a well-known figure in Puntland, who has since given at least two media interviews in which he described himself as a pirate leader with responsibility for 13 maritime militia groups comprising at least 800 pirates. Among the hijackings for which the Monitoring Group believes Garaad bears responsibility, or shares involvement and control with other pirate leaders such as Afweyne, are the Panama-flagged, Japanese-operated bulk carrier *Stella Maris* (20 July 2008), the MV *BBC Trinidad* (21 August 2008), the MV *Iran Deyanat* (21 August 2008), and the MV *Bunga Melati Dua* (18 August 2008).

On 8 April 2009, pirates under Garaad's command also attacked the *Maersk Alabama*, a United States-flagged container ship carrying food aid destined for Somalia. United States naval forces intervened and a three-day stand-off ensued, during which Garaad conducted two media interviews by satellite phone, identifying himself as commander of the pirates. Following a United States military action in which three Somali pirates were killed, Garaad threatened to take revenge against American vessels and crews.[b]

[69] Jay Bahadur, "I'm not a pirate, I'm the saviour of the sea", *Times*, 16 April 2009, accessed at http://www.timesonline.co.uk/tol/news/world/africa/article6100783.ece.

[70] Jeffrey Gettleman, "For Somali Pirates, Worst Enemy May Be on Shore", *New York Times*, 9 May 2009, accessed at http://www.nytimes.com/2009/05/09/world/africa/09pirate.html.

Five days later, on 13 April 2009, pirates from Garaad's militias unsuccessfully attempted to hijack the MV *Liberty Sun*, a United States-flagged vessel also carrying food aid destined for Somalia. In an interview with Agence France Presse, Garaad acknowledged responsibility for the attack and stated that the aim was revenge: "The aim of this attack was totally different. We were not after a ransom. We also assigned a team with special equipment to chase and destroy any ship flying the American flag in retaliation for the brutal killing of our friends."[70]

The following day, 14 April 2009, the Togolese-flagged MV *Sea Horse* was hijacked by pirates while en route to Mumbai, India, where it was due to load 7,327 tons of food destined by the World Food Programme (WFP) for Somalia. Although reported chartered, WFP informed the Monitoring Group that, at the time of hijacking, an official contract for transportation of the food had not yet been signed. The ship remained hijacked for only three days as it was released on 17 April 2009. The Monitoring Group has received contradictory reports as to whether ransom was eventually paid.

In addition to posing a threat to peace and security in the region, the Monitoring Group considers Garaad and his militia to have committed multiple violations of Security Council resolution 1844 (2008), which prohibits the obstruction of humanitarian assistance. The Puntland authorities have yet to take any action to apprehend Garaad or curb his activities.

[70] In its report of April 2008, the Monitoring Group identified Garaad as "Garaad Mohamud Mohamed". Like Puntland President Faroole and Boyah, Garaad is a member of the Majeerteen/Issa Mohamud/Musa Issa sub-clan.

[71] http://www.alarabiya.net/articles/2009/04/13/70528.html and http://mobile.france24.com/.

[72] Agence France Presse, "Pirates stage rocket attack on US freighter", 13 April 2009, accessed at http://www.google.com/hostednews/afp/article/.

IV. Other threats to peace and security

141. The influence of armed opposition groups is not limited to southern Somalia. Both Hizbul Islam and Al-Shabaab have sympathizers in Puntland and Somaliland, and Al-Shabaab has mounted operations in both regions. In a long sermon at Abu Hureyra Mosque in Bakaaraha market (Mogadishu) on 29 September 2009, Al-Shabaab leader Fu'aad Shangole confirmed that his movement was already engaged in operations in Puntland and Somaliland and planned to wage further "jihad battles".[71]

[71] Gobolada.com, 30 September 2009.

A. Puntland

142. During the course of 2009, Puntland's security and stability has been marred by a rise in violent crime including assassinations and the use of improvised explosive devices. Three members of parliament, a judge, a minister and a senior intelligence officer have been killed, and another member of parliament narrowly escaped assassins during an attack on his home in November.

143. Attacks with grenades and improvised explosive devices attacks have become alarmingly common. There have been at least seven significant grenade attacks of which four have reportedly targeted Puntland security forces. Major attacks using improvised explosive devices include:

- 13 December 2009: A roadside bomb targeted the vehicle of Puntland Vice-President General Abdisamad Ali Shire at Laag village, some 30 km south of Boosaaso.[72]
- 15 December 2009: At least three Somali police officers were reported killed by a roadside bomb in the port city of Boosaaso as their vehicle drove past on a routine patrol.
- 21 December 2009: A roadside bomb in Garoowe targeted the vehicle of the Puntland Speaker of Parliament; his driver was killed and others wounded.
- 4 January 2010: Puntland's Internal Security Minister claimed that security forces had foiled a plot to bomb the port of Boosaaso.
- On 30 January 2010, the Police Commander of Qardho town reported that security forces had seized a cache of explosives and arrested two suspects believed to have links with Al-Shabaab.[73]

144. Not all of these cases can be attributed to Al-Shabaab: some have been simple criminal acts or revenge killings. However, the killing of security officers and civic officials has been a hallmark of Shabaab operations in southern Somalia, and the group is suspected by the Puntland authorities of involvement in several cases.[74] For example, Mohamed Abdi Aware, a senior judge at Boosaaso High Court, was killed on 11 November 2009 by two masked gunmen while leaving a mosque after evening prayers.[75] He had recently handled a case in which five Al-Shabaab suspects were sentenced to from 5 to 10 years' imprisonment.[76]

145. Ibrahim Elmi Warsame, a member of the Puntland parliament, was killed the same evening by three masked gunmen in Garoowe. Warsame was reputed to be critical of radical Islamic groups and had tabled a motion that would require religious schools to register with the Ministry of Education and to ban any that did not conform to the teachings of Ahlu Sunna wal Jama'a.[77]

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[72] The Monitoring Group has also received reports that a militia group aligned with Mohamed Sa'iid Atom operates in the Laag area.

[73] Text of report by Somali independent Radio Gaalkacyo on 30 January 2010.

[74] Radio Gaalkacyo, 12 November 2009.

[75] Garowe Online, 13 November 2009.

[76] http://www.garoweonline.com/artman2/publish/Wararka_19/Gudoomiyaha_Maxkamada_Puntland_Xildhibaan_la_diley.shtml.

[77] http://www.hiiraan.com/news/2009/Nov/wararka_maanta11-8002.htm.

Mohamed Sa'iid "Atom" and the "Eastern Sanaag Mujahidicen"

146. Several recent incidents have been specifically attributed to Mohamed Sa'iid "Atom",[78] described in the Monitoring Group's report of December 2008 (S/2008/769), whose activities pose a growing threat to peace and security in both Puntland and Somaliland.

147. Although he remains essentially a Warsengeli clan warlord, Atom reportedly calls his militia the "Eastern Sanaag Mujahidicen"[79] and has strengthened ties with Al-Shabaab during the course of 2009. A significant number of non-Warsengeli militia are reported to have recently joined his group. His training camp at Galgala remained active in 2009, and the Monitoring Group has received reports about two related training centres in the Bari region. Numerous sources indicate that there are several non-Somali instructors at the Galgala camp, and according to eyewitness reports delegations from southern Al-Shabaab groups have been regular visitors.

148. The Monitoring Group has received eyewitness reports that Atom continues to import arms from Yemen and to receive consignments from Eritrea, including 120-mm mortars, which may have been transferred to southern Somalia. He has also embarked on an expansion of his influence and infrastructure, attempting to build an access road to his main training camp near Galgala. Local Warsengeli elders have reportedly tried to discourage him from this effort.[80] In January 2010, Monitoring Group sources and local media reported that Atom had also completed construction of an airfield near his Galgala base.

149. Meanwhile, Atom appears to be preparing to confront both the Puntland and the Somaliland authorities more directly. In March 2009, he issued a press statement in which he demanded that the Puntland authorities release several Warsengeli youth from prison or his forces would liberate them and take unspecified action against the administration.[81] Late in 2009, Atom personally visited the town of Laascaanood, where he reportedly established an operational cell. There have since been several attacks with improvised explosive devices against Somaliland forces in the town, although it is unclear whether these may be Atom's responsibility or the work of an autonomous Dhulbahante clan militia.

150. Talks in Galgala district between Puntland officials and Warsengeli clan elders about the fate of Atom and his militia were suspended late in January without agreement.[82]

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[78] Atom is reportedly a suspect in the January 2010 killings of a Qur'anic schoolteacher in Garoowe, and of Abdullaahi Ali Karaad, a member of the Puntland parliament. See, for example, http://somalifans.net/2010/01/05/wararka-1762/ and http://allidamaale.com/Rayiga-138.htm.

[79] http://xamartimes.com/index.php?option=com_content&task=view&id=84&Itemid=2.

[80] Monitoring Group interview, 13 December 2009.

[81] http://xamartimes.com/index.php?option=com_content&task=view&id=84&Itemid=2.

[82] Monitoring Group sources; http://www.raxanreeb.com/?p=35756 and http://www.galgalanews.com/node/490.

B. Somaliland

151. Shabaab operations in Somaliland date from at least 2003, when members of the group killed four foreign aid workers in three separate operations.[83] In 2006, a Shabaab team with arms and explosives was apprehended while plotting a campaign of assassinations and bombings to disrupt parliamentary elections. In October 2008, Al-Shabaab deployed suicide bombers in simultaneous attacks against the Somaliland presidency, the Ethiopian liaison office and the UNDP office, killing 25 people.[84]

152. In September 2009, Shabaab emir Ahmed Abdi "Godane" (Abu Zubeyr) issued a recorded statement entitled "A Message to Somaliland", in which he described the administration as anti-Islamic, denounced the electoral process, and called on the public to rise up against the authorities.[85] The message was widely interpreted as a warning that Al-Shabaab would turn greater attention to Somaliland, and the Somaliland authorities have since thwarted a number of Shabaab operations, intercepting consignments of arms, ammunition and explosives.

153. Late in September 2009, the Somaliland authorities arrested Mohamed Omar Abdirahman, a suspected bomb maker.[86] In November 2009, the authorities unsuccessfully attempted to arrest in Bur'o two suspected senior Shabaab leaders named Sa'iid Ahmed Abdi "Jaar" and Adan Ahmed Arreh (also known as Adaan "Jihad"). Late in December 2009, the Somaliland Interior Minister briefed the press that the police had recovered a sack of explosives planted at a bridge on the main road between Berbera and Bur'o.[87] In January 2010, Somaliland authorities recovered high explosive projectiles apparently intended to bomb a mosque in Hargeysa, whose imam had been outspoken against Al-Shabaab.[88]

V. Violations of the arms embargo

154. Somalia continues to receive inflows of arms and ammunition in violation of the general and complete arms embargo. In general, arms imports are of a low volume and consist principally of ammunition, small arms and light weapons. Some

[83] In December 2006, a Somaliland court sentenced Ahmad Abdi Godane and Ibrahim Haji "Al-Afghani" in absentia for their role in the attacks.

[84] According to the Somaliland Minister of the Interior, investigations "revealed that of the six suicide bombers involved in the October 29 attacks, only one was from Somaliland, while the other five hailed from Somalia proper" (http://www.jamestown.org/single/?no_cache=1&tx_ttnews[tt_news]=34239).

[85] Accessed at http://www.alqimmah.net/showthread.php?t=7647.

[86] Mohamed's personal notes suggested that he was either a member or a sympathizer of Al-Shabaab and indicated that he had been in contact with a wide range of people from various armed groups. However, a brief inspection of his personal effects offered by the Somaliland authorities left the Monitoring Group in doubt as to whether Mohamed possessed the requisite materials, skills and motivation to manufacture explosives.

[87] *Somaliland Times*, December 19-25, 2009, accessed at http://www.somalilandtimes.net/sl/2009/412/3.shtml.

[88] http://allafrica.com/stories/201001110503.html and http://www.reuters.com/article/idUSLDE608072.

heavier, crew-served infantry weapons also continue to arrive, including some relatively sophisticated anti-aircraft and anti-tank weapons.[89]

155. The Monitoring Group distinguishes between two categories of arms embargo violations, namely, technical and substantive violations. Technical violations involve support for Somali security sector institutions, which are eligible for exemptions under paragraph 11 (b) of resolution 1772 (2007), but for which no exemption has been requested in advance and on a case-by-case basis from the Security Council Committee established pursuant to resolution 751 (1992). Substantive violations involve contraventions of the embargo that would under no circumstances be eligible for exemptions. Arms and ammunition provided with authorization from the Committee, or in technical violation of resolution 1772 (2007), represent a growing proportion of arms flows to Somalia. As noted in the Monitoring Group's report of December 2008, much of this assistance ends up in the hands of armed opposition groups or on the open market.

156. Non-State and intergovernmental actors mentioned in this section fall beyond the scope of the Monitoring Group's mandate: namely, regional and international organizations, aid agencies and private security companies. The absence of any provision for them to obtain exemptions under resolution 1772 (2007) creates ambiguities with respect to their compliance with the arms embargo. In the past, the Monitoring Group has approached this problem by encouraging international organizations to notify the Committee of their intentions, and for private sector actors to obtain the sponsorship of their host Governments vis-à-vis the Committee. As the number of non-State actors involved in Somalia increases, there is an urgent need to clarify and formalize these arrangements.

157. Yemen remains Somalia's principal commercial market for weapons, and Ethiopia is a principal State supplier of arms, ammunition and training. Eritrea's role has diminished relative to previous years as its Government places greater emphasis on political and financial support for armed opposition groups. During the course of the mandate, Uganda and the United States also provided significant military assistance to the Transitional Federal Government.

A. Substantive violations

Southern Somalia

158. The persistent, low intensity conflict in southern Somalia requires the various parties to the conflict to supply themselves with a constant, albeit low-level, flow of arms and — more importantly — ammunition. Somali armed forces, including the Transitional Federal Government, and militia groups utilize a wide variety of ammunition ranging from cartridges for different types of assault rifles, handguns and machine guns (PKMs, DShKs) to anti-tank weapons (RPG 2 and 7, Carl Gustavs and B-10s), mortar rounds of different calibres (60-mm, 81-mm and 120-mm) and light anti-aircraft guns.[90] Towards the end of 2009, the Monitoring

[89] For an illustrated description of weapons commonly employed in the Somali conflict, see annex I.

[90] Heavy mortars are rarely used on the Somali battlefield. However, on 20 December 2009, 120-mm mortar rounds fired at AMISOM positions landed in Hamarjajab and near the seaport. To date, the Monitoring Group has not been able to verify the model and origin of the mortar rounds.

Group observed a significant upgrade in the anti-tank weaponry used by armed opposition groups. Early in October 2009, for the first time on record, Saxhorn type anti-tank guided missiles were fired at AMISOM positions.[91] The Monitoring Group has not yet been able to trace the origin of these items or determine how they entered Somalia.

159. Although some parties to the conflict, notably the Transitional Federal Government and Ahlu Sunna wal Jama'a, benefit from direct external military aid, most factions procure their supplies from internal markets nourished by commercial brokers. As indicated in a previous Monitoring Group report (S/2008/274, paras. 113-116), arms markets have become more fragmented since the Ethiopian intervention, when the weapons trade was driven "underground". Overall, this pattern remains valid.

160. Monitoring Group investigations indicate that armed opposition groups in Mogadishu received most of their supplies via road from Kismaayo and/or central Somalia (through Puntland). Al-Shabaab receives supplies through the port of Kismaayo, as well as smaller beach ports along the Lower Juba coastline. The southern axis between Kismaayo-Jamaame-Jilib-Baraawe-Marka and up towards Mogadishu along the coastline is a very important supply line. Al-Shabaab also receives weapons via Mohamed Sa'iid "Atom" in Puntland, who trans-ships supplies southwards via Gaalkacyo. In Mogadishu, Al-Shabaab operations are divided into combat zones with local supply bases in the Dayniile and Suuq Baad areas.

161. Armed opposition groups also received military supplies between 10 and 15 December 2009 via beach ports to the north of Mogadishu between Hobyo and Eel Ma'aan. Although the Monitoring Group has also received reports from sources on the ground of arms deliveries via the airfields at Bale Dogle and Dayniile, lack of access to these facilities makes verification extremely difficult.

162. Armed opposition groups also claimed that they obtain arms, ammunition and equipment from Transitional Federal Government forces and affiliated militias, either by seizing them on the battlefield or by purchasing them.[92] These claims are supported by routine reports of corruption in the security forces, including the sale of arms and ammunition by soldiers and unit commanders.[93] In some cases, leaders affiliated with the Transitional Federal Government may simply hand supplies directly to the opposition: in October 2009, for example, relations between the Transitional Federal Government and the Governor of Hiraan region, Abdullahi Ma'ow, were becoming increasingly strained, and Ma'ow extended to Hizbul Islam his military support before eventually joining Ahlu Sunna wal Jama'a.

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[91] The Soviet-made Saxhorn first appeared in 1978 and has since been in service in numerous countries, including Afghanistan, Belarus, Bulgaria, Croatia, the Republic of Korea, the Russian Federation and the Syrian Arab Republic.

[92] See for example, Shabaab spokesman Ali Mohamud Raghe's BBC interview of 17 January 2010, accessed at http://www.bbc.co.uk/somali/news/story/2010/01/100117_afhayeenka.shtml.

[93] In December 2009, AMISOM forces arrested three Transitional Federal Government soldiers trained in Djibouti on suspicion of selling arms and intelligence to insurgents. The soldiers were handed over into government custody.

Puntland

163. Puntland remains the primary gateway for arms and ammunition into Somalia, owing to its Gulf of Aden coastline, historical arms trading relationship with dealers in Yemen, and largely unpoliced territory. The Monitoring Group has learned that arms markets still exist in most major towns, although — as elsewhere in Somalia — they are generally fragmented, informal and run by businessmen with connections to Yemen. Transactions in these markets are of limited financial scale, involving mainly small and medium weapons and ammunition. However, the activities of large pirate militias along the Puntland coast, and the escalation of violence in the Galguduud and Hiraan regions during 2009 have generated additional demand in Puntland arms markets.

164. Although the bulk of arms flows from Puntland are towards the south, the Monitoring Group has also learned of small-scale northwards flows. One notable example involved the arrival in Puntland markets of AK-47 type assault rifles, still crated, allegedly from Transitional Federal Government weapons stocks.[94] Monitoring Group sources inspected and priced the weapons — locally known as "Sheikh Sharifs" — on several occasions.

Somaliland

165. Somaliland also hosts an arms trade involving small-scale, informal markets concentrated in larger towns, and arms are widely available. However, recent attempts by the authorities to regulate arms sales and ownership are beginning to have some impact. A growing number of Somaliland residents have registered their firearms, and the price of arms and ammunition has increased relatively to other parts of Somalia.

166. Weapons in Somaliland come mainly from arms markets in Yemen. By disrupting arms trafficking across the Gulf of Aden, counter-piracy operations have reportedly contributed to a significant increase in the cost of weapons. Many remain in the territory, where there is a lively domestic arms market: according to a recent survey, 74 per cent of Somaliland households own small arms: mainly assault rifles and pistols.[95] Other arms are destined for trans-shipment to eastern Ethiopia, where the Ogaden National Liberation Front remains active, or to southern Somalia.

167. Arms trafficking is more prevalent in the disputed regions of eastern Sanaag and Sool, where there is no effective governmental authority. This is in part because traffickers have freedom of movement from the Gulf of Aden coast to southern Somalia, encountering no regional or local administration. It is also due to the presence of various armed groups operating in those areas, including clan militias, Al-Shabaab affiliates and militia aligned with sections of the Dhulbahante clan who seek autonomy for their region.

168. Lastly, both Somaliland and Puntland maintain significant military forces in the Sool region, where they face off against one another to the east of Laascaanood. Any escalation in the dispute between them would probably be accompanied by an arms build-up on both sides.

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[94] Reliable sources believed that these weapons had been part of a consignment delivered to the Transitional Federal Government by the Uganda People's Defence Forces, but the Monitoring Group has been unable to obtain specimens and serial numbers to verify this information.

[95] Danish Demining Group, "Community, safety and small arms in Somaliland", 2009.

Man-portable air defence systems

169. The small number of man-portable air defence systems available to armed opposition groups in Somalia continues to be a serious security concern. The Monitoring Group received information that new systems were delivered to Somalia from Eritrea early in 2009.

170. In October 2008, AMISOM forces based at Mogadishu International Airport observed a small group of opposition fighters take up positions near the south end of the runway. They successfully attacked the group, one of whom was equipped with an SA-7b surface-to-air missile.[96] The grip stock and launcher were removed by the Ugandan military for intelligence purposes, but the Monitoring Group was able to inspect the missile and battery in Mogadishu.

171. The Government of the Russian Federation has confirmed to the Monitoring Group that the items recovered in Mogadishu were manufactured in the Soviet Union in 1979 at the Degterev and Kovrov plants.[97] However, neither the Russian nor the Ugandan Government has provided additional information that could assist in tracing the chain of custody through which the weapon arrived in Somalia.[98]

172. Early in 2009, the Somaliland authorities recovered 10 SA-7b launchers from a Somali arms dealer. The weapons had been part of a total consignment of 18 missiles delivered by air from Eritrea to Guuri'eel in central Somalia, where 8 of the missiles were handed over to a group of Habar Gidir Ayr militia from Al-Shabaab. The remaining 10 were retained by the broker for his own profit, and eventually arrived in Somaliland where they were seized. According to the Somaliland authorities, all but one of the launchers was subsequently transferred to Ethiopian custody for intelligence purposes. The Government of Ethiopia has not responded to the Monitoring Group's request for additional information.[99]

Improvised explosive devices

173. The weapons and tactics of armed opposition groups in Somalia have remained relatively unchanged in recent years. One notable exception, however, is in the field of improvised explosive devices, where tactics and technology have evolved rapidly over a relatively short period of time. The Monitoring Group believes that this trend is the result of foreign fighters and Somalis trained abroad bringing new skills and techniques to the battlefield.

174. Primitive improvised explosive devices inspected by the Monitoring Group included anti-tank mines or artillery shells modified for remote detonation, possibly with some additional metal objects (bolts, metal filings) welded to the casing to enhance the fragmentation effect. Others comprised mundane objects (milk powder tins, oil jerry cans, fire extinguishers, etc.) filled with explosives and wired for remote detonation. The most common explosive in Somalia is TNT, which can be

[96] This shoulder-launched anti-aircraft missile was manufactured in the USSR and other Eastern Bloc countries. A modernized version of the SA-7a, it was first put into service in 1968.

[97] Letter from the Government of the Russian Federation, 24 September 2009.

[98] In a letter dated 10 December 2009 regarding the weapons recovered in Hargeysa, the Government of the Russian Federation stated that it was impossible "to determine a customer and a final user of the items" due to the destruction of the relevant documentation after the expiration of the weapon's 17-year service lifetime.

[99] Letter to the Government of Ethiopia, 16 December 2009.

found in mines and high explosive shells, and can be recycled in powdered form to produce improvised explosive devices.[100]

175. Such basic improvised explosive devices have increasingly given way to more sophisticated devices, including the use of mobile phones as trigger mechanisms, and suicide bombers to deliver vehicle-borne or person-borne improvised explosive devices. Tactics have also improved considerably, notably in terms of multiple, simultaneous or sequential blasts.

176. The first recorded suicide attack in Somalia occurred in 2006. From 2006 to December 2009 there were 21 confirmed suicide attacks, as well as several other alleged cases.[101] Four of the attacks occurred during the course of the mandate:

- February 2009: attack on AMISOM Burundian force headquarters in Mogadishu (11 AMISOM soldiers were killed).
- June 2009: attack on Medina Hotel, Beledweyne (assassination of Minister of Security Omar Haashi; 35 people were killed).
- September 2009: attack on AMISOM force headquarters in Mogadishu (17 soldiers and 4 civilians were killed).
- December 2009: attack on Shamo Hotel (24 people, including 4 ministers, were killed).

177. The two attacks on AMISOM forces, at the Burundian force headquarters on 22 February 2009 and AMISOM headquarters on 17 September 2009, were carefully planned and executed, requiring considerable intelligence collection and prior reconnaissance of the target. Both consisted of complex, dual-suicide attacks involving vehicle-borne and person-borne improvised explosive devices and indirect fire. Although claimed by Al-Shabaab, the attacks bear the hallmarks of Al-Qaida operations elsewhere in the world, suggesting that Al-Shabaab either relied on the expertise of foreign-trained explosives experts, or have recently acquired such skills.

Foreign fighters

178. Al-Shabaab work hard to attract non-Somali recruits to their cause. Al-Shabaab propaganda is widely disseminated in at least three languages — Somali, English and Arabic — and a small number of specialized websites also carry propaganda in other languages. Al-Shabaab Internet forums (see section II.C above) have also attempted to engage non-Somalis, providing information and instruction on how to join the armed struggle.[102]

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[100] One notable exception was the vehicle-borne improvised explosive device suicide bombing in Hargeysa in October 2008, which employed 250-300 kg of ammonium nitrate fuel oil. This low-grade explosive can be homemade and is produced with fertilizer. In Afghanistan, 95 per cent of the improvised explosive devices are fabricated with ammonium nitrate fuel oil, prompting NATO forces to launch a buy-back programme for fertilizers (accessed at www.globalsecurity.org).

[101] Based on Stig Jarle Hansen, "Revenge or reward: the case of Somalia's suicide bombers", unpublished paper, June 2009.

[102] For example, in March 2009 the Monitoring Group learned of a dialogue between senior leaders of Al-Shabaab and Hizbul Islam, and individuals claiming to represent the Pakistani Taliban. Among the issues addressed were the number of potential recruits from among Somali students in Pakistani madrassas, and the question of secure routes into Somalia from foreign countries.

179. Despite these efforts, the presence of foreign fighters in Somalia among the ranks of Al-Shabaab has been routinely overstated. Transitional Federal Government reports of foreign fighters appear to be tainted by political considerations. In July 2009, the Transitional Federal Government displayed the bodies of four foreign fighters, three of whom were subsequently identified as Somalis. In various communiqués reporting on the military clashes with armed opposition groups, Alhu Sunna wal Jama'a has claimed to have fought and killed foreign fighters but has not yet provided evidence to substantiate this.[103]

180. One of the most widely cited sources with respect to foreign fighters among Al-Shabaab is Mohamed Sheikh Abdullahi, also known as Bakistaan,[104] an Al-Shabaab commander of the Maymana Brigade who defected to the Transitional Federal Government on 9 November 2009. Both in government debriefings, and to the international media, Bakistaan provided names and nationalities of a number of foreigners allegedly operating with Al-Shabaab. According to his statements, Kenyan nationals, including Kenyan Somalis, account for half of all foreign fighters, and about 450 other foreign nationals have come from Bangladesh, Chechnya, Pakistan, the Sudan and the United Republic of Tanzania — assertions that the Monitoring Group has generally found to be corroborated by a variety of other credible sources, including Monitoring Group contacts on the ground.[105] However, Bakistaan's assertions that the total number of foreign fighters is in the thousands and that Al-Shabaab operations are directly controlled by Al-Qaida are less credible.

181. The Monitoring Group estimates the total number of foreign fighters with armed opposition groups in Somalia to be under one thousand, of which a much smaller proportion possesses relevant training and experience. It has been reported that foreign fighters are present not only in Mogadishu, but also in the Bay and Bakool, Lower Juba and Middle Juba regions. Their contribution to Al-Shabaab's efforts is threefold: ideological, training (explosives, infantry tactics), and — on occasion — as shock troops.

182. Small numbers of foreigners have played key advisory and leadership roles, and the training and technical expertise they provide has served as a force multiplier for Al-Shabaab. They are also of disproportionate propaganda value. However, there is no evidence that the overall impact of the foreign fighters on the battlefield has been decisive.

Presence of the Ethiopian National Defence Force on Somali territory

183. Throughout the course of the mandate, the Ethiopian National Defence Force has routinely entered Somali territory, notably in the Hiraan and Galguduud regions, and established temporary bases. Late in August 2009, Ethiopian forces stationed at the border town of Ferfer also engaged in joint operations with ASWJ against Al-Shabaab.

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[103] The most recent example obtained by the Monitoring Group is an ASWJ report on the fighting that took place between 25 and 27 January 2010 in Galguduud and in Hiraan.

[104] Somali for Pakistani.

[105] The Monitoring Group has also received reports of foreign fighters from Algeria, the Comoros, Egypt, Iraq, Morocco, Saudi Arabia, the Sudan and Yemen.

184. The Monitoring Group has also learned of Ethiopian force sorties into Gedo region, apparently for reconnaissance purposes.

185. The Monitoring Group does not believe that operations of foreign military forces on Somali soil correspond with the definition of support to the Somali security sector under Security Council resolution 1772 (2007), and therefore constitute a substantive violation of the arms embargo.

B. Support to the Somali security sector

186. Security Council resolution 1772 (2007) requires support to Somali security sector institutions to be authorized by the Committee established pursuant to resolution 751 (1992) in accordance with stipulated procedures. The Monitoring Group has attempted to monitor all inputs in this regard with a view to assessing compliance with Security Council requirements. This task has been complicated by two main factors: the disorganization of the Somali security sector, and the failure of several international partners to fulfil their obligations under resolution 1772 (2007).

Authorized support to the Somali security sector during the Group's mandate

187. Several countries submitted requests to provide support to Somali security sector institutions in accordance with paragraph 11 (b) of resolution 1772 (2007), which were subsequently approved by the Committee. These countries are: Djibouti, France, Italy, the United Kingdom and the United States.

188. Djibouti trained 463 Somalia soldiers for three months in Djibouti at the Hol-Hol camp. This unit was sent back to Somalia on 18 October 2009. Although Djibouti initially failed to notify the Committee in advance of its intentions, as required by resolution 1772 (2007), it did so after the fact in response to a query from the Monitoring Group and received approval from the Committee in October 2009.

189. France notified the Committee in July 2009 of its intent to train a battalion-sized unit (510 soldiers) in Djibouti.

190. At the International Conference in Support of Somali Security Institutions, held at Brussels on 23 April 2009, Italy pledged €2 million for the security forces of the Transitional Federal Government, earmarked to provide salaries and food to 3,274 registered personnel of the government military forces, as well as for maintenance and fuel for their vehicles. The Monitoring Group has since received information indicating that the Government of Italy has pledged a further $4 million in assistance, as well as various forms of technical assistance.

191. To date, Italy has notified the Committee, in December 2009 and January 2010, of its intention to provide financial support totalling €4 million for payment of government force salaries, to be channelled via AMISOM.

192. The United Kingdom notified the Committee in October 2009 that it intended to provide logistical support to the Somaliland police. The Government of the United Kingdom also requested an exemption on behalf of a humanitarian mine action non-governmental organization, the Halo Trust, in connection with its operations in Somaliland.

193. The United States requested authorization to provide cash, as well as arms and ammunition, in May and June 2009. The United States support consisted chiefly of ammunition for light and medium-sized weapons and was purchased from on-hand stocks of the Uganda People's Defence Forces. The overall amount notified by the United States Government was 94 tons of weapons and ammunition and $2 million in financial assistance. No sophisticated or heavy weapons were delivered.[106]

Observations on authorized support

194. In its report of December 2008, the Monitoring Group commented on the unintended consequences of security sector support to the Transitional Federal Government, notably the defection or desertion of roughly 80 per cent of trainees, together with their arms, ammunition, equipment, uniforms and skills. Although the consequences of authorized assistance to the Transitional Federal Government during this mandate have been less dramatic, there are some noteworthy issues.

195. The selection, recruiting and training of Transitional Federal Government forces, while essential to the reorganization and improvement of the security sector, continues to pose problems. For example, although government soldiers sent for training by the French army in Djibouti were to have been chosen from a broader cross-clan pool, in practice most were selected from among Hawiye/Abgaal and Hawaadle clans considered to be supportive of the Transitional Federal Government.

196. The loyalty of these trainees is nevertheless in doubt. Many appear to have been motivated by the promise of food and payment, and some deserted immediately upon their return. Military sources also suspected that some trainees had been planted by Hizbul Islam or Al-Shabaab. Those who remained do not appear to have significantly altered the performance of the Transitional Federal Government on the battlefield.

197. United States contributions to the Transitional Federal Government appear to have been informed in part by past experience. Most of the American consignment was ammunition, and only a limited supply of infantry weapons in order to minimize losses. Nevertheless, there are widespread reports of government forces selling ammunition, and weapons from the same consignment appear to have ended up on the market.[107]

C. Non-compliance

198. The majority of assistance to the Somali security sector has not been authorized by the Committee. Although the Monitoring Group has attempted to keep track of such contributions, it has not always been able to do so. While some States appear to be unaware of their obligations, others seem to resist transparency and accountability. Whatever their reason or intentions, those States are in technical violation of the general and complete arms embargo on Somalia.

199. The Monitoring Group is aware of several States that have not met their obligations under resolution 1772 (2007). In several cases, they have also failed to

[106] Monitoring Group correspondence with United States Government official, 22 July 2009. The heaviest ammunition delivered was for 82-mm mortars.

[107] The price of an AK-47 type rifle in Mogadishu reportedly fell from $600 to $300 the same week.

provide clarification to the Monitoring Group when requested to do so. Those States include Ethiopia, Kenya, the Sudan, Uganda and Yemen.

Ethiopia

200. During the course of the mandate, the Monitoring Group has received numerous reports of Ethiopian assistance to both the Transitional Federal Government and ASWJ, without authorization in either case. On 20 August 2009, the Ethiopian Government spokesman, Bereket Simon, acknowledged his Government's actions in this regard when he told the media: "We have openly told the world that we will support the [Transitional Federal Government]. We have been training their forces and will continue to do so because they are forces of peace."[108]

201. Ahlu Sunna wal Jama'a has also acknowledged that some of its fighters received training in Ethiopia in mid-2009 in preparation for an offensive against Al-Shabaab based at Eel Buur.[109] In August 2008, some of those fighters were engaged in clashes with Al-Shabaab in the Galguduud region.

202. Prior to 21 June 2009, Ethiopian assistance to ASWJ arguably constituted a substantive violation of the embargo rather than a technical one. However, since the signature of a cooperation agreement between ASWJ and the Transitional Federal Government on 21 June 2009 (subsequently reinforced by the agreement of 30 November 2009), the Monitoring Group accepts that the definition of a Somali security sector institution could be extended to include ASWJ.[110]

203. On 6 October 2009, the Monitoring Group sent a letter to the Government of Ethiopia requesting clarification of "its operation on the Ethiopian-Somali border and adjacent areas as well as Ethiopian relations with Somali armed groups in Gedo and Galguduud regions". No reply has been received to date.

Kenya

204. There has been considerable confusion concerning the training of forces aligned with the Transitional Federal Government in Kenya by the Government of Kenya. Kenyan Government officials have publicly acknowledged that it had accepted a request from the Transitional Federal Government to train government police officers, but initially denied any other type of training. Monitoring Group field investigations have confirmed the existence of a military training programme, in the absence of authorization from the Committee. In December 2009, the Kenyan Minister of Security, George Saitoti, reportedly confirmed to foreign diplomats the existence of a "Jubaland policy" intended to establish a "buffer zone" bordering Kenya in the Juba Valley.

205. The training programme was initiated early in 2009 at the request of President Sharif and under the auspices of his then Minister of Defence, Mohamed Abdi Mohamed "Gandhi". Kenya hosted the programme, and Ethiopia has been closely involved. Approximately 2,500 youth were recruited by clan elders and commissioned agents, both from within Somalia (exclusively the Juba Valley) and

[108] Agence France Presse, "Al-Shabaab, Pro-Government Forces Battle for Southern, Central Somalia Heightens", 20 August 2009.

[109] From report at Wadanka.com, 18 August 2009.

[110] The Monitoring Group has also learned that in December 2009 the Transitional Federal Government specifically requested that the Government of Ethiopia provide assistance to ASWJ.

north-eastern Kenya, including the Dadaab refugee camps. Two training centres were established, one at the Kenya Wildlife Service training camp at Manyani, the other near Archer's Post at Isiolo. A total of 36 Somali officers were recruited to assist in the training, under the leadership of General Abdi Mahdi (Daarood/Ogaden) and Abdullahi Sheikh Ismail "Fartaag" (Daarood/Marehaan). The officers assembled at Manyani in August and completed a one-month seminar in September 2009.[111]

206. Despite official claims of recruitment on the basis of a national "4.5 formula",[112] Monitoring Group investigations have confirmed that the greatest number of recruits are from the Ogaden clan, with the Marehaan in second place. This has reportedly engendered some anxiety among other clan groups along both sides of the common border.

207. Media reports and international non-governmental organizations have alleged numerous irregularities in the management of the training programme, including recruitment of underage youth, of Kenyan citizens, false promises of financial remuneration, and recruitment of refugees. Independent Monitoring Group investigations, including interviews with trainers and trainees from Manyani, have confirmed that all of these practices did indeed take place, but the Group cannot assess the scale of the irregularities.

208. The Monitoring Group is unaware of any notification to the Security Council concerning this training programme. In a reply dated 23 February 2010 to a Monitoring Group query on this subject, the Government of Kenya denied that it has provided training for Somali troops.

Uganda

209. The Uganda People's Defence Forces trained a battalion-sized unit in Uganda early in 2009, which was redeployed to Mogadishu in May 2009. The Government of Uganda has informed the Monitoring Group that this training took place within the context of the AMISOM mission.[113] However, since the training was conducted by Ugandan army units that are not part of AMISOM, the Monitoring Group considers the training to have been conducted on a bilateral basis and therefore to require authorization from the Security Council.

Sudan

210. On 12 November 2009, a group of 70 recruits took off from Mogadishu International Airport for Khartoum for a VIP protection course. They travelled in an official Sudanese aircraft with registration number AN 74 ST-GFF.

211. The Monitoring Group is unaware of any notification to the Security Council concerning this training programme, and on 19 November 2009 sent a letter to the Government of the Sudan requesting clarification and additional information. No reply has been forthcoming.

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[111] Monitoring report, 4 November 2009, based on multiple interviews.

[112] The "4.5 formula", upon which representation in the transitional federal institutions is currently based, assigns equal representation to each of four major clan groups: Daarood, Digil-Mirifle, Dir and Hawiye. Minority groups collectively receive half the share of the major clans.

[113] Pursuant to paragraph 9 (c) of Security Council resolution 1772 (2007).

United Arab Emirates

212. International Civil Aviation Authority records received by the Monitoring Group mention six United Arab Emirates military flights to or from destinations in Somalia between 6 January and 27 July 2009. All of those flights were conducted with a DHC6 Twin-Otter aircraft (registration 2255).

213. In correspondence with the Monitoring Group, the Government of the United Arab Emirates does not acknowledge any military flights to Somalia in 2009 with such an aircraft. On 28 January 2010, the Monitoring Group sent a letter to the Government of the United Arab Emirates requesting clarification and additional information.

D. International, regional and subregional organizations

United Nations

214. The United Nations system is engaged in a range of programmes and projects involving support to Somali security sector institutions.[114] Like the European Union, cited below, resolution 1772 (2007) makes no provision for the United Nations to obtain exemptions for these activities.

215. In November-December 2009, intelligence personnel of the Transitional Federal Government received training in Uganda by a Ugandan private security company. The training programme was reportedly financed from a United Nations Trust Fund for Somalia administered by the United Nations Political Office for Somalia (UNPOS).

216. At the time of writing, the Monitoring Group had yet to receive a response from UNPOS to queries about the training programme.

European Union

217. The European Union is currently planning to provide training to Somali forces in Uganda. The planning phase should end by the end of February so that the mission can be launched in May 2010. The stated objective is to contribute to the strengthening of the Somali security forces through the provision of initial military training up to platoon level. A programme to identify potential non-commissioned officers and junior officers would also be put in place. Overall, at least 1,000 Somali combatants would be concerned.

218. Paragraph 11 (b) of resolution 1772 (2007) makes reference only to States and not to international, regional and subregional organizations. It is therefore not possible under current circumstances for the European Union to obtain an exemption from the Committee for its activities.

E. Private security companies

219. Another feature of Somalia's war economy is the increasing activity of private security companies. Most private security companies are currently focused on

[114] United Nations Development Programme support to the Somali Police Force figured prominently in the Monitoring Group's report of December 2008 (S/2008/769).

water-borne services and counter-piracy measures, such as providing armed protection for merchant vessels, and they do not necessarily conduct operations on Somali territory. A small but growing number, however, are prepared to tackle the challenges of onshore security services, including support to AMISOM, support to the Transitional Federal Government, and protection for private enterprises.

220. Few private security companies are aware of the arms embargo, and may therefore be operating in violation of its provisions. As mentioned above, resolution 1772 (2007) is silent on whether non-State actors providing support to Somali security sector institutions or private militias might be eligible for waivers or exemptions.

Bancroft Global Development

221. Bancroft provides technical expertise to AMISOM, principally related to counter-improvised explosive device capabilities, and operates under the auspices of AMISOM.

Dyncorp International

222. Dyncorp provides logistical support to AMISOM. Its facilities and personnel were specifically targeted during the suicide attack on 17 September 2009 at AMISOM force headquarters.

CSS Global Inc.

223. According to media reports,[115] a United States-based company named CSS Global, an affiliate of CSS Alliance, has secured a contract with the Transitional Federal Government for services relating to counter-piracy and counter-terrorism. These reports were corroborated by an official of the Transitional Federal Government, Ali Hassan Gulaid, on 14 October 2009.

224. The Monitoring Group is unaware of any authorization of this activity by the Committee and sent a letter on 16 December 2009 to CSS Global seeking clarification. CSS has provided no response to date.

Physical Risk Solutions

225. Physical Risk Solutions is a private security company registered in Somaliland and managed by a South African citizen. The company operates with the authorization of the Somaliland Ministry of the Interior and provides guard services to private companies and non-governmental organizations. The company is not permitted to bring firearms or military equipment into Somaliland.

The Saladin Group

226. During the mandate, the Monitoring Group received information pertaining to the activities in Puntland of the Saladin Group, a United Kingdom-based company. The information received could not be fully corroborated.

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[115] See for example, "CSS Global Inc wins contract to protect government from terrorism, pirates", The Grand Rapids Press, 15 October 2009.

227. Contacted by the Somalia Monitoring Group, Saladin acknowledged that it conducted brief assignments in Somaliland and Puntland in 2008, involving close protection services. In January 2009, Saladin also deployed two personnel to extract two journalists who had been taken hostage. According to Saladin, it has not conducted any operations in Somalia since 4 January 2009.

Threat Management Group

228. The Monitoring Group has received information indicating that the Kuwait-based Threat Management Group has been engaged by the Puntland authorities in north-eastern Somalia to provide support for local Somali security forces. Neither the Threat Management Group nor the Government of Kuwait has notified the Committee.

Triton International Ltd.

229. The Monitoring Group has received information indicating that Triton International Ltd., a United Kingdom-based company, is providing assistance to the Somaliland coastguard. Following a query from the Monitoring Group, Triton has confirmed that it has a contract to this effect. The Monitoring Group has requested additional information.

VI. Obstruction of humanitarian assistance

230. Obstruction of humanitarian assistance takes multiple forms in Somalia. The country is considered to be one of the most hostile environments in the world for aid workers; 10 were killed in 2009 and 10 are still held in captivity.[116] Across much of the south, Al-Shabaab have declared aid agencies unwelcome, accusing them of acting as spies for hostile Governments. United Nations and non-governmental organization offices have been raided and looted by Shabaab fighters, and United Nations vehicles have been used by Al-Shabaab for suicide bombings.

231. Even where aid agencies can function, monitoring and delivery of assistance is often difficult or even dangerous, creating opportunities for diversion and fraud. Some aid agencies routinely pay off local authorities for their own "protection". Aid convoys are "taxed" or forced to surrender some of their cargo at checkpoints. As in other conflict zones, armed groups not only control access to needy populations but also seek to exert a degree of control over aid resources for their own purposes.

232. Under such circumstances the aid community has come to accept a certain level of risk, loss, theft and diversion as "the cost of doing business" in Somalia. The Monitoring Group has therefore focused its investigations not on such routine practices but on large-scale, egregious and systematic obstruction of humanitarian assistance.

[116] Office for the Coordination of Humanitarian Affairs Somalia, *Weekly Humanitarian Bulletin*, Issue No. 48, 18-31 December 2009 (http://www.reliefweb.int/).

A. Food aid and diversion

233. The Security Council in resolution 1844 (2008), paragraph 8 (c), prohibited acts that obstruct the delivery of humanitarian assistance to Somalia, or access to, or distribution of, humanitarian assistance in Somalia. The Monitoring Group interprets this definition to include the diversion of assistance away from its intended beneficiaries, whether to the advantage of an armed group, or simply for the purpose of profit.

234. The vast majority of humanitarian assistance to Somalia consists of food aid, which is particularly vulnerable to diversion. The largest single provider of food aid is WFP, which accounted for just under 60 per cent of the total United Nations assistance budget in 2009, or about $485 million out of $850 million. WFP transportation contracts to Somali businessmen constitute the greatest single source of revenue in Somalia and just three contractors receive 80 per cent of this business.[117] The transportation budget for WFP in 2009 was approximately $200 million. According to WFP transporters and other sources involved in food aid distribution interviewed by the Monitoring Group, the system offers a variety of opportunities for diversion all along the supply chain.

235. Diversion involving collusion between ground transporters and implementing partners is a common form of fraud — especially where transporters and implementing partners are actually owned or controlled by the same people.[118] WFP requires that implementing partners certify the delivery of food as proof that ground transporters have fulfilled their contracts. Implementing partners and transporters, as well as other interested parties, may therefore agree to divert food aid and share the proceeds. Percentages vary, but sources interviewed by the Monitoring Group describe an approximate division of 30 per cent for the implementing partner and local WFP personnel, 10 per cent for the ground transporter, and 5 to 10 per cent for the armed group in control of the area (according to a WFP spokesman, Al-Shabaab controls 95 per cent of the WFP areas of operation).[119] The remainder of the consignment is distributed to the recipient population.

236. Some implementing partners possess protected warehouses located near Somali markets where diverted food can be readily sold, and instruct transporters to deliver food directly to those warehouses rather than to specific distribution points. Transporters may feel compelled to comply in order to obtain the implementing partner certification that they have fulfilled their contract with WFP.

237. All of these ruses — and others — are business-as-usual in the so-called "Afgooye Corridor", where there is the single greatest concentration of internally

[117] Multiple Monitoring Group interviews with WFP officials.

[118] In some cases, implementing partners may actually be owned or controlled by national WFP staff, further complicating the picture. When Channel 4 News (United Kingdom) issued a report on diversion of food destined for internally displaced persons in June 2009, an unknown entity calling itself the Somali IDPs Protect Committee issued an "indictment letter" in September against the Somali journalist involved, and circulated photographs of internally displaced persons demonstrating in support of WFP. Many credible Monitoring Group sources claimed the letter was written and photographs taken by local WFP staff acting on behalf of the non-governmental organizations they have established to act as WFP implementing partners, and that the women and children who took part in the demonstrations were paid to do so.

[119] Widely reported; see for instance Scott Baldauf, "UN suspends food aid to southern Somalia", *Christian Science Monitor*, 5 January 2010 (http://www.csmonitor.com).

displaced persons in Somalia.[120] As in other conflict zones around the world, the high volume of food deliveries to a disoriented population in a zone of contested military control makes it a conducive environment for diversion. Access to some camps is effectively controlled by armed groups, who oversee food distribution in order to take credit for aiding the people under their control. The families of combatants are routinely registered as internally displaced persons in order to receive rations, inflating the numbers of those in need.

The World Food Programme and the Eel Ma'aan group

238. In theory, access to WFP contracts is subject to open tender and competitive bidding. In practice, the system offers little or no scope for genuine competition. Preliminary investigations by the Monitoring Group indicate the existence of a de facto cartel, characterized by irregular procedures in the awarding of contracts by the WFP Somalia country office, discriminatory practices and preferential treatment. Although these internal WFP procedures fall beyond the scope of the Monitoring Group's mandate, they create an environment conducive to large-scale diversion of food aid and warrant further, independent investigation.

239. One of the consequences of these practices is that, for more than 12 years, delivery of WFP food aid has been dominated by three individuals and their family members or close associates: Abukar Omar Adaani, Abdulqadir Mohamed Nur "Enow" and Mohamed Deylaaf. In 2009, these three individuals secured 80 per cent of WFP delivery contracts as part of the WFP transportation budget of approximately $200 million. On account of their contracts with WFP, these three men have become some of the wealthiest and most influential individuals in Somalia. Previous Monitoring Groups have referred to their activities in several reports.[121]

240. Since WFP requires Somali businessmen to arrange for their own protection when delivering food aid to those in need, transporters have built the costs of protection into their contracts. The provision of food aid has thus become a militarized business, with businessmen maintaining their own militias in order to protect their warehouses, convoys and distribution points. Not surprisingly, WFP contractors have maintained some of the largest private militias in southern Somalia.

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[120] Diversion in Afgooye has also been the subject of news reports, including the story by Jonathan Rugman of Channel 4 News: "UN probe after aid stolen from Somalia refugees", 15 June 2009 (www.channel4.com/news/article.jsp?id=3208557) and "Inside Somalia's Afgoye Corridor", 15 June 2009 (http://blogs.channel4.com).

[121] Deylaaf for facilitating armed conflict and currency production (S/2003/223, paras. 112-117); involvement in the sugar-for-arms trade (S/2004/604, para. 96); and arms purchases (S/2005/625, p. 43, and S/2006/229, p. 51). Adaani for funding armed groups and facilitating conflict (S/2004/604, paras. 76-77 and 100); arms shipments to opposition groups (S/2005/153, para. 29); armed support of opposition and arms purchases (S/2005/625, para. 18 and p. 40); fighting over Eel Ma'aan port (S/2006/229, para. 136); financing of the Union of Islamic Courts, establishment of training facilities and arms shipments (S/2006/913, paras. 12 and 143); and ousting by the Transitional Federal Government (S/2007/436, paras. 64-65). Enow for alleged arms purchases (S/2008/274, pp. 70-71); and his wife Khadija Ossoble Ali in connection with money printing (S/2003/1035, paras. 163-164).

241. Moreover, in addition to providing services to WFP, those contractors have also long exercised de facto control over two of southern Somalia's most strategic and lucrative ports: Eel Ma'aan, to the north of Mogadishu, in which Enow and Adaani are partners; and Marka, to the south of Mogadishu, which Deylaaf operated for over a decade. In both a literal and figurative sense, these three individuals have long been "gatekeepers" of WFP food aid to Somalia.

Diversion of food aid

242. Abdulqadir Nur "Enow" is Chairman and CEO of Deeqa Construction and Water Well Drilling Co. Ltd. in Kenya and Somalia. It is incorporated in the United States as Deeqa Enterprise LLC, based in Annandale, Virginia, and it is incorporated in the United Arab Emirates as SAMDEQ General Trading Company LLC.[122] Enow's wife, Khadija Ossoble Ali, is a registered agent for Deeqa Co. She is also the President of an international non-governmental organization in Mogadishu named SAACID.[123]

243. While Deeqa operates as a transporter for WFP across much of south-central Somalia, SAACID regularly acts as an implementing partner for WFP in Mogadishu, and the Middle Shabelle and Lower Shabelle regions — including some of the densest concentrations of internally displaced persons. Since WFP relies upon the signature of an implementing partner as verification of a delivery by a transporter, the verification by SAACID of food aid deliveries by Deeqa involves an apparent conflict of interest and a potential loophole in a very limited mechanism of accountability. It may also offer considerable potential for large-scale diversion.

244. On 25 September 2008, a convoy operated by Deeqa Co., bearing 1,229.55 tons of food aid, entered the Suuqa Xoolaha (livestock market) area of northern Mogadishu en route to Tiyeglow and Huddur in central Somalia.[124] The livestock market is known to WFP transporters as a particularly difficult and high-risk area — a fact subsequently confirmed by Enow to WFP.[125] The standard practice of transporters interviewed by the Monitoring Group is to send only 5 or 10 trucks at a time on this route to minimize the risk. Deeqa, however, opted to send all 35 trucks of its convoy through the area at the same time during a volatile period.

245. At about 10 a.m., fighters from an armed opposition group, under the command of Abdikariim Haashi "Qoslaaye", allegedly a former associate of Deeqa Co.,[126] stopped the convoy. Initially, members of the public were invited to help

[122] www.deeqa.com.

[123] Deeqa and SAACID, founded by Enow and his wife Khadija, share similar organizational structures and are intertwined entities at a number of levels. For instance, they share the same address and office facilities in Annandale, Virginia, in Westlands, Nairobi, and in Karaan, Mogadishu. Yusuf Hassan Mohamed is the Secretary of SAACID International and a local representative of SAACID in Somalia, while he is also a representative of the shareholders of Deeqa in Kenya and Somalia, and the contact person for SAMDEQ's and Deeqa's transportation services in the region. In addition, Khadija's brother, Abdulqadir Ossoble Ali, acts as a representative of SAMDEQ, with contractual authority.

[124] The livestock market incident occurred before the adoption of resolution 1844 (2008) and therefore does not constitute a violation of the resolution. However, the Karaan warehouse case can be fully understood only in the context of this prior incident.

[125] Enow correspondence with WFP, 26 September and 2 October 2008.

[126] Qoslaaye, a member of the Duduble sub-clan of the Hawiye, is a former commander of the Union of Islamic Courts who later joined Al-Shabaab. According to confidential Somali sources,

themselves to some of the food. The majority of the consignment was offloaded by Qoslaaye's militia and sold to retailers. After the food had been offloaded, Deeqa's trucks were allowed to go free. Enow maintains that the incident represented a case of looting, and publicly blamed UIC for the incident. However, multiple, independent Somali and international sources believe and have told the Monitoring Group that the attack on the Deeqa convoy was staged.

246. Another apparent episode of large-scale diversion occurred in the Karaan district of northern Mogadishu, where Enow owns and operates a large private warehouse. Located next to the warehouse in a shared compound is a house with the offices of both Deeqa and SAACID. According to WFP, for much of 2009, SAACID was the only WFP implementing partner in Karaan district, often certifying deliveries conducted by Deeqa.[127]

247. From 19 to 21 June 2009, fighting erupted in Karaan between the Transitional Federal Government and the combined opposition forces of Al-Shabaab and Hizbul Islam. As government forces fell back from the area, Al-Shabaab and Hizbul Islam fighters together surrounded the Deeqa-SAACID compound and Enow's warehouse, which by then contained approximately $5 million worth of food aid.[128] The Hizbul Islam forces comprised largely local militia, and many of their leaders and fighters were from the same Abgaal sub-clan as Enow.

248. Opposition militia looted all the surrounding properties, but did not attack the warehouse or the Deeqa-SAACID house and permitted SAACID staff to move the organization's assets to a safe location in Wabeeri district (under AMISOM control) — allegedly in exchange for a cash payment of several thousand dollars. The opposition forces also permitted Enow's security guards to remain in place.[129]

249. On 25 August 2009, SAACID, the non-governmental organization headed by Enow's wife, Khadija Ossoble, certified that a consignment of food from the Karaan warehouse was delivered to Afgooye. The value of the consignment is estimated to be about $600,000.

250. Between August and October 2009, the remaining contents of the Karaan warehouse — less a percentage handed over to opposition militias — were gradually moved by truck from Karaan to another of Enow's warehouses in Hamar Weyne district (under AMISOM control).

251. Both Enow and WFP officials have told the Monitoring Group that the food was delivered to its destination. However, multiple independent sources on the ground, including eyewitnesses, have informed the Monitoring Group that the food was subsequently delivered to Bakaraha market. Their version of events is consistent with other reports of diversion received by the Monitoring Group as well as practices described in a news report by Channel 4 News on 15 June, which

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Deeqa Co. had previously relied on Qoslaaye to facilitate passage through this area and to provide security. The Monitoring Group is not certain of his actual affiliation at the time of this incident.

[127] The only other implementing partner in the area at the time was Keysaney Hospital, which receives but does not distribute assistance.

[128] Monitoring Group interviews with Abdulqadir Nur Enow, 13 July 2009 and 22 January 2010.

[129] Monitoring Group interview with Abdulqadir Nur Enow, 13 July 2009.

appeared to document other large-scale diversions of WFP food aid to Mogadishu markets.[130]

252. In the light of eyewitness accounts, there are reasonable grounds to believe that the contents of the Karaan warehouse may have been diverted to local markets. Furthermore, the episode illustrates the potential for manipulation and diversion when the same actors — in this case Enow, his family and associates — control the food aid pipeline from warehousing to distribution. The Monitoring Group recommends that investigations into this incident should be pursued further.

253. The contracting and food recovery practices of WFP and its transporters are beyond the scope of the Monitoring Group's current mandate. There is no question, however, that irregularities prevailing in the contracting environment and deficiencies in the certification of delivery facilitate opportunities for large-scale diversion. For example, under the terms of their contracts with WFP, transporters are required to post a security bond of 30 to 35 per cent of the value of shipments in an escrow account, from which WFP can recover the value of the food if it does not reach its destination. In fact, no bond has ever been used to recover losses.[131] In Deeqa's case, an ad hoc repayment scheme involved an implied — and arguably improper — WFP guarantee of future contracts and offered an opportunity for potential abuse.

Abukar Omar Adaani and Hizbul Islam

254. Abukar Omar Adaani is a businessman from the Warsengeli branch of the Abgaal sub-clan of the Hawiye, and a principal partner in the Eel Ma'aan port. With his three sons (Abdulqadir Haji Abukar Adaani, Ali Haji Abukar Adaani and Abdullahi Haji Abukar Adaani) and his brother (Mohamud Omar Adaani), he operates a number of trading and import/export companies, as well as other concerns in Somalia, Kenya and the United Arab Emirates. These include the Ramadan Hotel in northern Mogadishu, the Ramadan Trading Company involved in the sugar trade through Kismaayo and, most prominently, one of the main WFP contracting firms, Swift Traders Ltd. He also maintains direct or indirect interests in other WFP contracting firms bidding for the same tenders, including Banadir General Services (part of the Banadir group of companies through which Adaani and Enow in partnership managed Eel Ma'aan port) and Banadir Gate East Africa General Trading Company (a spin-off from the Banadir group).

255. The Banadir group of companies (including such entities as the Lower Shabelle Business Committee holding company, Banadir Maritime and Port Operation, and Banadir Maritime Import Operations) managed Eel Ma'aan port from 1999 to 2007. Adaani and Enow held various titles in the partnership, including, respectively, CEO and Chairman, and President.[132] Enow's brother-in-law, Abdulqadir Ossoble Ali, was responsible for the routine operations of the

[130] "UN probe after aid stolen from Somalia refugees", 15 June 2009 (www.channel4.com/news/article.jsp?id=3208557); and "Inside Somalia's Afgoye Corridor", 15 June 2009 (http://blogs.channel4.com).

[131] If a consignment is lost, the value of the food is supposed to be recovered from the transporter's bond. In principle, therefore, transporters have a financial incentive to ensure that WFP cargo reaches its destination safely (multiple Monitoring Group interviews with WFP officials).

[132] Stig Jarle Hansen, "Civil War economies, the hunt for profit and the incentives for peace: The case of Somalia", AE working paper No. 1 (2007) (http://www.regjeringen.no/Upload/UD/Vedlegg/Humanitært%20arbeid/somaliadraft.pdf); and letter from Abdulqadir Nur to Peter Goossens, WFP Somalia Country Director, 23 February 2009.

port.[133] As with other businesses in Mogadishu, part of the profits of the Banadir group was spent on building a militia force to guard the port facilities that eventually numbered close to 2,000.[134]

256. Adaani served as a principal financier of the Union of Islamic Courts in the lead-up to its June 2006 takeover of Mogadishu, in which the Eel Ma'aan militia served as the core fighting force of UIC. For Adaani, the investment in UIC was both ideologically motivated as well as a financial gamble in which he hoped to reap the benefits of a UIC takeover of the country. Initially, as Enow publicly announced at Eel Ma'aan, the Islamic takeover was good for business.[135] However, Adaani's gambit failed when Ethiopian troops invaded Somalia, reaching Mogadishu on 29 December 2006, and Adaani emerged as a patron of opposition forces in northern Mogadishu.

257. When Sheikh Sharif became President of a reconstituted Transitional Federal Government in January 2009 as a result of the Djibouti peace process, Adaani sought to reclaim his earlier investment in UIC and political support of Sharif, either through influence in the formation of the Cabinet and the running of the government or through compensation that he reportedly valued at $50 million. President Sharif refused both.

258. Rebuffed by President Sharif, Adaani tried to recoup his investment by reopening Eel Ma'aan port at the beginning of 2009 with the support of WFP, which favoured the improvement of Eel Ma'aan ostensibly as a contingency plan in case Mogadishu port was closed.[136] The move was forcefully opposed by President Sharif and the Special Representative of the Secretary-General, who perceived Adaani's manoeuvre as a direct challenge to the authority of the Transitional Federal Government, and a threat to its potential to generate revenue via Mogadishu port. WFP eventually abandoned the Eel Ma'aan venture, but not before awarding Adaani a significant contract that included building a road from Eel Ma'aan to Isilay airstrip. Adaani claims that the road was intended to circumvent a risky transportation route through northern Mogadishu, where his partner Enow claimed that a food aid convoy he operated had been looted (see above), and had the blessing of President Sharif.[137] But according to government port officials, the new road does not correspond with any known humanitarian delivery route and was intended to provide armed opposition groups access to the airstrip.

259. Thereafter, a combination of Al-Shabaab and Hizbul Islam forces remained in control of the Eel Ma'aan area, apparently with Adaani's tacit approval. On 24 and 25 March 2009, Hizbul Islam forces (mainly from Adaani's Abgaal/Harti/Warsengeli sub-clan) launched two attacks on government forces (mainly from President Sharif's Abgaal/Harti/Agoonyar sub-clan) in the Yaqshiid district of northern Mogadishu. In a briefing with senior United Nations officials the following day (26 March), Transitional Federal Government leaders described the clashes as

[133] Susan Linnee, "Capitalism is Thriving Unfettered in Somalia", Associated Press, 5 December 2003.

[134] See further Hansen, "Civil War economies".

[135] Andrew Cawthorne, "Islamic takeover seen good for Somalia business", Reuters, 18 June 2006.

[136] In an interview with the Monitoring Group on 27 May 2009, Adaani claimed that he opposed the reopening of Eel Ma'aan, which "was WFP's idea".

[137] Interview with Sid Ali, Adaani's representative in Nairobi, 31 September 2009.

Adaani challenging President Sharif's decision not to permit WFP use of Eel Ma'aan.

260. Early in April 2009, African Union intelligence sources further reported that Adaani was "raising a militia composed of members of the Warsengeli clan to fight the government with Hizbul Islam". One month later, Hizbul Islam and Al-Shabaab jointly launched a major offensive against Transitional Federal Government and AMISOM forces, beginning in Yaqshiid district through preparations undertaken since February by a militia commander — and former fuel vendor at Eel Ma'aan — named Ahmed Sheikh Muhyadiin "Laashin". Although Laashin fought under the banner of Hizbul Islam, AMISOM forces on the ground identified him as commander of Adaani's personal militia.[138] Similarly, AMISOM considered Eel Ma'aan as an entry point for Hizbul Islam military supplies.

261. After several months of inactivity, on 23 November 2009, Hizbul Islam declared both Eel Ma'aan and Isilay open. Adaani's long-time political and military partner, Hassan Dahir Aweys, personally presided over the opening ceremony. A Hizbul Islam-affiliated website announced that "business supporters of Hizbul Islam in Mogadishu" had reopened the facilities, but did not identify those businessmen by name.[139]

B. Kidnapping of aid workers

262. Although the number of kidnappings of aid workers in 2009 was less than half of the 26 abductions in 2008, overall the phenomenon of taking hostages has increased over recent years. It is fundamentally motivated by financial gain through ransom demands, analogous to piracy, and only secondarily ideologically based. Both Somali and international workers fall victim to gunmen operating freelance, in gangs or as part of armed groups. Though not historically a Somali tradition per se, kidnapping gained ground as one of a number of organized crimes that followed the subsiding of clan warfare in the 1990s. Non-Somali targets can be preferable since their capture does not incur the wrath of a Somali victim's clan and entails a higher ransom demand. Some kidnappers, however, operate in multi-clan gangs to minimize inter-clan conflicts and the pressure of elders seeking a release to restore calm.

263. Governments, the United Nations and non-governmental organizations maintain a public position of non-payment of ransom as a matter of principle and to prevent an increase in the number of incidents. Yet releases invariably entail an exchange of funds, directly or indirectly. A dilemma exists between the human drama and urgency of an individual case and, in the grip of a crisis, the seemingly more abstract proliferation of the kidnapping phenomenon that will follow payment of a ransom. While the families of Somali victims may resort to the clan for help, families of international victims, in the absence of alternatives, may engage private security firms specializing in kidnap negotiations. Since release of the victims becomes the overriding objective in each case, perpetrators or facilitators of kidnapping enjoy impunity after the fact and may even continue to do business with

[138] A source close to Adaani told the Monitoring Group that Laashin had also acted as an arms broker for Adaani's militia in 2006-2007 (Monitoring Group interview, 10 November 2009).

[139] Ganacsatada taageerta garabka Ururka Xisbul Islaam ee Muqdisho oo dib u furtay Garoonka iyo Dekada Cisaley (Halgan.net, 23 November 2009).

the international community. At a minimum, anyone involved or associated with the kidnapping of aid workers should be identified, designated by the United Nations country team as ineligible for grants or contracts from United Nations agencies, and — where possible — surrendered by Somali authorities to third countries for prosecution.

Case Study 5
Kidnapping of Action contre la Faim workers

On the night of 17 July 2009, three foreign aid workers with the French non-governmental organization Action contre la Faim were snatched by some 10 gunmen from the northern Kenyan town of Mandera and taken across the nearby Somali border. After more than two months of negotiations, the release of the hostages was secured by a ransom payment of over $1 million.

According to the kidnappers' instructions, payments totalling $1,361,668 (including a bank charge of $27,065) were made on 3 October 2009 to an account with the money transfer company Dahabshil in Baidoa. The account belonged to an individual named Abdullahi Ali "Luway" a member of the Luway sub-clan of the Rahanweyne.

A prominent businessman, Luway serves as a contractor for WFP and UNICEF in the Baidoa area. He rents vehicles to both those entities through his company, Alkhalil, and his water company Gargarwadag often works for UNICEF. He also receives $3,000 per month in rent from UNICEF for a building that is used to house the Somali parliament.

Luway has also been a local financier of the Al-Shabaab authority in Baidoa since the organization took control of Baidoa in January 2009, and a close associate of the Al-Shabaab leader and former spokesman, Mukhtar Roobow "Abu Mansuur". On 20 July 2009, according to multiple Somali and international sources, Luway was also involved in the Al-Shabaab looting of the United Nations compound in Baidoa, when United Nations vehicles were stolen and taken to Mogadishu.

Luway has successfully exploited his social and political connections into an intermediary role between Al-Shabaab leadership in Baidoa and the United Nations — a situation that has evoked formal protest from clan elders of the Digil and Mirifle community in Baidoa.[a]

[a] "Allegation letter" regarding United Nations contractor Sheikh Ibrahim Abdullahi Ali, signed by the Chief Elders of the Digil and Mirifle Council, Baidoa.

VII. Cooperation with States and organizations

264. The Monitoring Group placed great value on cooperation with States and international organizations, with special emphasis on the Horn of Africa region. During the first two months of its mandate the Monitoring Group met with the

authorities in Kenya, Ethiopia and Djibouti and briefed representatives of the diplomatic communities in Nairobi and Addis Ababa. On 31 May 2009 the Monitoring Group formally briefed the Prime Minister of the Transitional Federal Government.[140] The Government of Eritrea denied several Monitoring Group requests to visit on the grounds that key officials would not be available.

265. Through these initial contacts, the Monitoring Group learned that very few concerned government officials and diplomats were conversant with relevant Security Council resolutions on Somalia, or with the mandate of the Monitoring Group. In addition to providing briefings on these issues as required, the Committee established pursuant to resolution 751 (1992) issued a note verbale to Member States on 24 September 2009, reminding States of their responsibilities and obligations.

266. During the course of the mandate, the Monitoring Group sent 56 letters on a wide range of issues to States, international organizations and several private companies. Of this total, 22 letters related to security and weapons-tracing issues, 17 to Monitoring Group missions, 10 to piracy and 7 to flights in and out of Somalia. As at 2 February 2010, only 27 replies had been received.

267. The Monitoring Group received the greatest cooperation with respect to piracy. Several Member States, as well as the International Maritime Organization and the International Maritime Bureau, the European Union Naval Force and INTERPOL provided valuable assistance. It is recommended that the Monitoring Group seek to develop similar relationships with NATO and with the United States-led Coalition Maritime Force (TF 151) and other coordinating bodies of naval forces active in the region in the future. The International Civil Aviation Organization also provided invaluable assistance with respect to flight information.

268. Overall, cooperation from Governments with respect to weapons identification and tracing has been insufficient.

269. Cooperation in other respects was even more limited. States and organizations involved in support to Somali security sector institutions were generally reluctant to notify the Committee as required by resolution 1772 (2007), or to share information with the Monitoring Group.

270. With the exception of Djibouti, cooperation with Somalia's neighbours was especially disappointing. The Governments of Kenya and Ethiopia failed to respond to Monitoring Group requests for information that would have contributed significantly to investigations.[141] The Transitional Federal Government of Somalia also provided very little useful information. The Monitoring Group strongly recommends that future cooperation with these three Governments be improved and strengthened.

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[140] A member of the Monitoring Group visited the Office of the President on 2 August 2009 and was received by officials of the National Security Agency. On other occasions, the Monitoring Group met with the Ministers of Defence and National Security of the Transitional Federal Government, as well as the Director-General of the National Security Agency, the Commissioner of Police and the Head of Immigration, among others.

[141] One notable exception was the Kenya Police Criminal Investigations Division, which provided valuable assistance to the Monitoring Group. Somaliland's Criminal Investigation Department (Berbera) also provided exceptional assistance to the Monitoring Group's piracy investigations.

271. In its investigations into the principal contractors of humanitarian assistance, the Monitoring Group experienced obstructionist non-cooperation by the WFP Somalia office. This was somewhat mitigated only by the direct intervention of the WFP Inspector-General in the course of his own investigations into diversion. Furthermore, the Monitoring Group has not been made aware of follow-up action regarding issues it has raised with WFP nor received the full report of the investigations it undertook in 2009.

VIII. Observations and conclusions

272. The current military stalemate in southern Somalia is less a reflection of opposition strength than of the weakness of the Transitional Federal Government. Since the nomination of Sheikh Sharif to the presidency and the withdrawal of Ethiopian forces from Somalia early in 2009, armed opposition groups — Al-Shabaab in particular — have lost their popular support base and been gravely weakened. Through necessity, they have also become more self-reliant. Where the Transitional Federal Government depends on foreign assistance and African Union forces for its survival, the opposition relies on "taxation", extortion, and a sophisticated international network of activists and propagandists to raise funds for the struggle. Foreign fighters still represent an important resource for Al-Shabaab, despite their small numbers. But the skills those foreigners once contributed to the fight are increasingly being acquired by Somalis.

273. The reluctance of the Transitional Federal Government to forge effective partnerships with potential local allies is the result of internal political caution rather than external pressures. Despite infusions of foreign training and assistance, government security forces remain ineffective, disorganized and corrupt — a composite of independent militias loyal to senior government officials and military officers who profit from the business of war and resist their integration under a single command. As a result, external assistance to the Transitional Federal Government continues to function as a major loophole in the general and complete arms embargo, through which arms, ammunition, equipment and skills all flow to armed opposition groups. Although difficult to verify, it is increasingly plausible that the Transitional Federal Government represents a more important source of arms and ammunition than foreign sponsors for its adversaries. The Transitional Federal Government seeks to mobilize additional external resources, but the success of the military effort hinges far more on courting domestic allies, enhancing the cohesion of the security sector, improving discipline and reducing corruption.

274. Likewise, provision of counter-piracy support to the Puntland authorities is not only rewarding bad behaviour, but also risks passing on counter-piracy tactics and equipment to pirate militias themselves. The battle against piracy can most effectively be advanced by holding the current leaders of Puntland individually and collectively responsible for their complicity in the piracy phenomenon, and holding them to the same standard as neighbouring Somaliland, which pursues and prosecutes pirates with genuine vigour. The central Somali piracy networks operating from Xarardheere and Hobyo would of course continue to present a challenge, but a reliable counter-piracy ally in Puntland would be incalculably more valuable than committing more naval assets to the fight.

275. The suspension of WFP operations in much of southern Somalia, while dramatic, offers an opportunity to assert greater accountability and control over the food aid pipeline. The move must not become, however, simply a realignment of operations from Al-Shabaab to Hizbul Islam-controlled areas, such as Afgooye, which will reinforce the existing dynamics between WFP, its principal contractors and armed opposition groups. Rather, WFP should take immediate steps to dismantle the de facto cartel that has monopolized its Somali operations for so many years, and to distance itself from those business interests and individuals manifestly aligned with armed groups or criminal activities. A more diverse, transparent network of contractors will serve not only to enhance competition and possibly reduce costs but also to spread financial benefits more equitably through the Somali economy.

276. Lastly, the growing internationalization of the Somali conflict, especially through extremist infiltration of diaspora communities, poses a new and complex problem. Part of the solution requires the more vigorous pursuit of individual leaders, recruiters or fund-raisers using available domestic legislation, or designation for targeted measures under resolution 1844 (2008). A far greater challenge involves understanding why so many ethnic Somali youth have become so susceptible to radicalization and recruitment in their home countries, and beginning to address the root causes.

IX. Recommendations

277. The Monitoring Group recommends that the Security Council remind all United Nations agencies working in Somalia that they should provide all necessary assistance to the work of the Monitoring Group, including access to United Nations Humanitarian Air Service flights.

A. Threats to peace and security

278. The Monitoring Group recommends that:

(a) The Committee should proceed without further delay to designate individuals and entities proposed by the Monitoring Group or Member States for targeted measures under Security Council resolution 1844 (2008) and/or resolution 1907 (2009);

(b) Further to the provisions of resolutions 1844 (2008) and 1907 (2009), the Government of Eritrea should cease any subsidies to members of the Alliance for the Re-Liberation of Somalia-Asmara and any other armed opposition groups currently based in Asmara, cancel and/or revoke any Eritrean passports issued to members of those groups and permit international inspection of any facilities alleged to be employed for training of armed groups from Somalia and the region;

(c) The European Union Governments take urgent steps to investigate incidents of immigration fraud and take measures to better coordinate consular functions among their embassies in East Africa. Recommended actions include information-sharing with respect to visa requests; and a ban should be placed on Somali ministers, members of parliament and officials who make fraudulent requests for travel.

B. Violations of the arms embargo

279. The Monitoring Group recommends that:

(a) The Committee should review the arms embargo exemption regime, taking into account the Monitoring Group's observations in the present report; specifically:

(i) Provisions regarding exemptions to the arms embargo should be clarified with respect to the responsibilities of international, regional and subregional organizations;

(ii) Private security companies operating in Somalia should be required to request exemptions for their operations from either their host government or the government that contracts them to provide services;

(iii) The Committee should request the Member States to bring to the attention of defence and security companies registered in their territories the existence of an arms embargo on Somalia and relevant Security Council resolutions;

(b) The Committee should exercise greater diligence in enforcing compliance with the arms embargo exemptions regime; specifically:

(i) The Chair should send letters on behalf of the Committee to all States cited above for substantive or technical violations of the arms embargo, namely, Eritrea, Ethiopia, Kenya, the Sudan, Uganda and the United Arab Emirates, reminding them of their responsibilities under relevant Security Council resolutions and bringing to their attention the possible consequences of non-compliance;

(ii) The Security Council should request AMISOM to inspect inventories of weapons and ammunition obtained in accordance with Council resolution 1772 (2007), paragraphs 11 (b) and 12, in order to ensure that all such weapons and ammunition are accounted for, and to share such information on a regular basis with the Monitoring Group;

(c) The Committee should remind Member States of their obligations under the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, adopted by the General Assembly in its decision 60/519;

(d) The Security Council require States and international organizations that come into possession of weapons, ammunition or military material that is either on Somali territory or is destined for Somalia or has originated in Somalia to record the identifying characteristics of those items and report them to the Monitoring Group, in accordance with paragraph 6 of Council resolution 1425 (2002);

(e) The Security Council authorize international naval forces in the Gulf of Aden and the Indian Ocean, including the United States-led Coalition Maritime Force (TF 151), the European Union Naval Force (Operation Atalanta — TF 465) and the NATO maritime force (Operation Ocean Shield — TF 508), to seize any weapons encountered in the course of their operations and to actively interdict arms trafficking in accordance with their capabilities;

(f) That the Committee act upon its decision to send a mission to the Horn of Africa region, led by the Chair, to raise awareness among Member States, international and regional organizations and the private sector with respect to the provisions of resolutions 1844 (2008) and 1907 (2009), specifically the expanded mandate of the Monitoring Group.

C. Piracy

280. The Monitoring Group recommends that:

(a) The Security Council request international naval forces in the Gulf of Aden and the Indian Ocean, including the United States-led Coalition Maritime Force, the European Union Naval Force (Operation Atalanta) and the NATO maritime force (Operation Ocean Shield), to transmit any information in relation to seizures of weapons and pirate paraphernalia to the Monitoring Group;

(b) The Security Council call upon the Puntland authorities to demonstrate their sincerity in combating piracy by apprehending and surrendering for prosecution in foreign countries known pirate leaders, their supporters and financiers; to consider possible targeted measures against individual leaders who aid or abet the commission of acts of piracy or who benefit from the proceeds of piracy; and to prohibit the provision of security sector support to the Puntland authorities unless and until there is measurable improvement;

(c) The Security Council encourage Member States to provide capacity-building and training and other relevant forms of support for the operations of the Transitional Federal Government and the Somaliland coastguard forces, as well as other branches of the security services engaged in the fight against piracy;

(d) All Member States engaged in counter-piracy operations off the coast of Somalia consider deployment on vessels of trained military forensic teams or trained coastguard policemen to improve the collection, registration and preservation of evidence.

D. Obstruction of humanitarian assistance

281. The Monitoring Group recommends that:

(a) The Security Council urge the Secretary-General to initiate a genuinely independent investigation of the WFP Somalia country office, with authority to investigate contracting procedures and practice, including any discriminatory practices and preferential treatment, to undertake an accurate ground assessment of delivery operations, and to make recommendations for action;

(b) WFP revise its internal procedures to truly diversify the issuance of contracts, and to ensure meaningful oversight of the Somalia country office and transparency in the organizational adjustments it makes;

(c) The United Nations Somalia country team empower the new position of Risk Management Officer to conduct rigorous due diligence with regard to companies to be awarded major contracts and their subcontractors, with specific reference to who is actually in control of a business as opposed to who is formally presented as responsible;

(d) The United Nations Somalia country team, the United Nations Support Office for AMISOM and the United Nations Political Office for Somalia, with the Monitoring Group, develop a means of information-sharing regarding the Somali business community contracted by the United Nations, with due regard to social/clan, business and political affiliations;

(e) The United Nations Somalia country team, in consultation with the United Nations Support Office for AMISOM, the United Nations Political Office for Somalia and the Monitoring Group, should establish a database of businessmen, their associates and subcontractors involved in supporting or financing armed groups, or who have engaged in corrupt practices in the context of United Nations contracting. Financial audits are only one means of identifying corruption, and regular investigations beyond formal paperwork are necessary and feasible;

(f) The Department of Safety and Security of the Secretariat, in collaboration with the United Nations Somalia country team and the NGO Consortium, establish a database of individuals identified as perpetrators or facilitators of kidnapping of aid workers for the purposes of blacklisting or taking further action.

Annex I

Arms and ammunition

The types of weapons employed in the Somali conflict have not altered a great deal over the past two decades — a legacy of the Siyaad Barre regime and the Cold War — consisting principally of light and medium weapons produced in the 1950s-60s in Eastern Bloc countries. These weapons are common to all the warring parties and are widely shared through constant trading at the local level. Arms procured or delivered to Somalia during the course of the conflict have replaced or expanded existing stocks; they have generally not upgraded the quality or sophistication of the weapons in use on the battlefield.

Smaller quantities of Western-made weapons from approximately the same period are also are still in use. However, the absence of readily available ammunition for these weapons makes them less popular with armed groups.

Tracing these weapons is extremely challenging. Many weapons designed and produced in the ex-USSR have been widely licensed and copied. Records relating to their manufacture, sale and export have been destroyed. And the chain of custody through which they have arrived in Somalia can be all but impossible to establish.

Assault Rifles

The most common types of assault rifles found in Somalia are:

- AKM (Russia)
- Type 56 (China)
- Heckler and Koch G3 (Germany)
- SAR 80 (Singapore)
- M16 (USA)

In combat situations, the AK-type assault rifle is the primary weapon used by armed forces and groups in Somalia. The Monitoring Group believes that this may be explained by the fact that the AK cartridge type M 43 ammunition is more widely manufactured, and therefore easier to obtain and to acquire on the black market than other calibres of ammunition, such as the 5.56mm NATO rounds for the M-16.

Based on observation of numerous photographs and videos, in addition to on-site inspections, the Monitoring Group believes that the Type 56 is the most common assault rifle currently in service in Somalia. This is probably explained in part by the fact that the Type 56 is less expensive (approx. US$350) than the Russian AKM (between US$1000-2000). It uses the same M43 type cartridge — 7,62 mm/39 — as the Soviet made AK 47 or AKM.

Light Machine Guns

The Monitoring Group has not observed the extensive use of light machine guns, such as the type RPK or RPD, derived from the AK assault rifle, despite the fact that these weapons use the same cartridge (M 43) as the AK type.

General Purpose Machine Guns (GPMG)

The PK-type GPMG is the only GPMG that the Monitoring Group has observed in common use in Somalia, where it is favoured by armed opposition groups for street fighting. It is a reliable weapon, relatively light (9 kg), and uses a 7.62 mm / 54 cartridge, with an effective range of 600m. Ammunition belts can be held in 250-round ammunition boxes, in special large-capacity boxes on tanks (for the PKT) or in a 100-round assault magazine attached to the underside of the gun's receiver. In Somalia, fighters generally do not use magazines, but carry the belts of ammunition.

The PK machine gun has been widely copied and manufactured. China and Bulgaria, Romania, Kazakhstan and Serbia are among the countries that have manufactured this weapon.

Anti-tank weapons

Rocket Propelled Grenades (RPGs)

The RPG-7 and its imitations (notably the Chinese-made RPG 69) are well adapted to the Somali battlefield. Efficient against armoured vehicles in urban areas, this shoulder launched anti-tank propelled grenade is easy to transport. Famous for its ruggedness and low cost, this weapon, requiring a basic training, has been widely used in the Somali conflict.

The RPG is a widely produced weapon and is listed on more than 40 countries' TO&E (table of Organization and Equipment). Besides Russia, manufacturers include Bulgaria, China, Iran, Iraq, Romania and Pakistan.[142] During the mandate, the Monitoring Group has inspected Russian, Chinese and Bulgarian versions of this weapon in Somalia.

Most of the RPG grenades observed in Somalia are HEAT type PG 7 V, PG 7 VL or PG 7 VM grenades. The market price per unit of the PG 7V grenade in Somalia is estimated as US$50.

PG-7V	PG-7VL	PG-7VR
Year of adoption	1961	1977
Warhead calibre, mm	85	93
Weight, kg	2.2	2.6
Effective range, metres	500	500
Armour penetration, mm	260	500

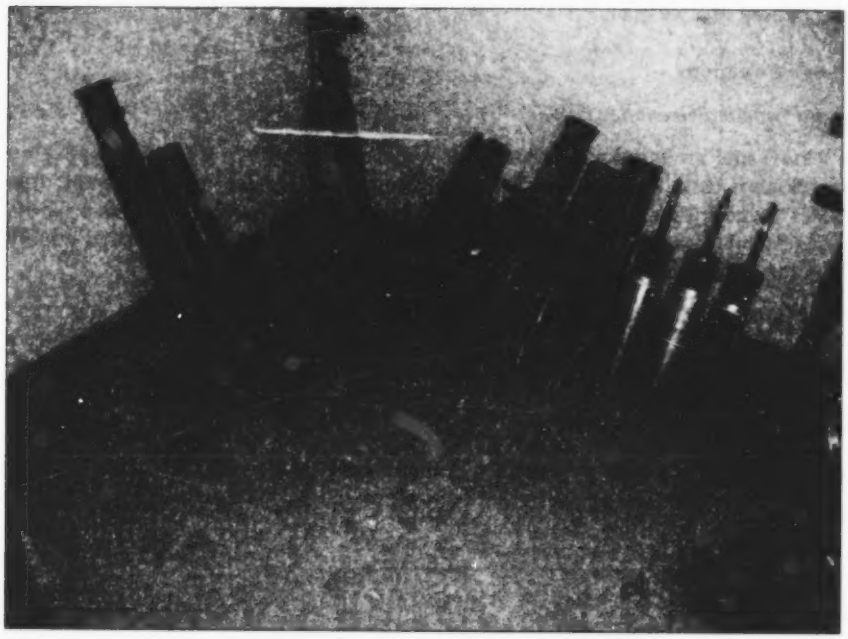
The RPG 7 ammunition is sensitive to moisture and temperature and needs to be properly stored and handled. A well-manufactured grenade with good packaging can be used for up to five years. Average-quality grenades, even with excellent packaging, last only up to 2 years. In the Somali context, where handling procedures and storage conditions are basic, these characteristics mean that there is a steady need for replenishment of stocks from external sources.

[142] Janes Defence, article on RPG 7.

Carl Gustav 84 mm

This weapon was initially manufactured in Sweden in 1948, and derived from the German Panzerschreck. Widely exported and used, the Carl Gustav has been expanded beyond its initial anti-tank role by the use of high explosive fragmentation rounds. The main drawback of this weapon is its bulk and weight,[143] which is significantly greater than its competitor, the RPG-7. However, experts consider the Carl Gustav to be reliable and "tailored for long operational life under adverse conditions."[144]

The picture below shows a model M2 and ammunition observed in central Somalia.



The following picture, taken during a military parade on 1 January 2009, shows an insurgent equipped with a Carl Gustav M2.[145]

[143] The initial version M2C weighs14,2 kg which reduces the mobility of the fighter.
[144] Janes Defence, article on Carl Gustaf recoilless rifle.
[145] http://www.youtube.com/watch?v=v3pwOMAV_qc

B10 Recoilless Rifle

The B10 is widely used in Somalia. It first entered service in the USSR in 1954 and was copied by China as the Type 65 and Type 65-1. This rifle is an 82 mm calibre and can fire 5 to 7 rounds per minute.

Although the B-10 was phased out of the Soviet military in the 1960s, it remained in service in many other countries. The model displayed in the image below is a Chinese version, carried by al-Shabaab militia at a parade on 1 January 2009.

Towed and Crew-Served Weapons

DShK (Degtyarev-Shpagin) Heavy Machine Gun (HMG), 12.7mm

The DShK 12.7mm HMG is used by all parties to the conflict, and is often mounted on 'technical' vehicles.

Conceived before World War 2, this weapon was widely exported during the Cold War and is no longer in production. Variations on the DShK have also been — and still are — manufactured in countries such as China (Type 54), Iran (Ammunition Industry Group type MGD 12,7), Pakistan (Pakistan Ordnance Factory Typed 54 licensed from China), Romania (RomArm) and the former Yugoslavia.

This HMG uses the 12.7mm/108 cartridge which has been manufactured in a number of countries, including Bulgaria, China, the former Czechoslovakia, the former East Germany, Egypt, Hungary, India, Iran, North Korea Poland, Romania, Russia, Syria and the former Yugoslavia (continued by Serbia).[146]

No comprehensive database of factory markings for this ammunition exists, which greatly complicates the task of tracing.

[146] http://www6.janes.com.

KPV (Krubnokalibernyj Pulemet Vladimirova) 14.5 mm Heavy Machine Gun (HMG)

Like the DShK, the KPV is often mounted on vehicles and deployed in a support role for dismounted infantry, by all parties to the conflict.

The KPV 14.5 mm model is an old-fashioned weapon, first produced in the 1950s. This weapon had infantry, anti-aircraft and tank versions. In the Somali context, this weapon has often been recycled from the pre-war arsenal of the Somali Government.

Like many other Soviet weapons, the KPV has been widely copied — notably by China which produces a Type 56 version.

The picture below was taken during an al-Shabaab military parade in northern Mogadishu on 1 January 2010.

Light Anti Aircraft Guns (LAAG) and Self Propelled Anti Aircraft Guns (SPAAG)

Although conceived to be effective against aircraft, these items can be used also against armpured vehicles. The most common varieties in Somalia are the ZSU-23 and the 37mm.

According to Janes, the ZSU-23 was developed in the late 1950s in order to engage low-flying targets at a range of 2.5 km as well as armoured vehicles at a range of up to 2.5 km.[147] Initially designed with twin barrels (the ZSU-23-2), a further development led to a 4-barrelled version known as the 'Shilka' (ZSU-23-4). Since 1983, the Bulgarian Arsenal Joint Stock Company (JSCo) has also been manufacturing the Russian twin 23mm towed anti-aircraft gun as well as its associated ammunition.

The cannon normally fires two types of fixed 23 × 153 mm ammunition; High Explosive Incendiary Tracer (HEI-T) and Armour Piercing Incendiary Tracer (API-T). Muzzle velocity is 970 m/s and the cyclic rate of fire is 1,600 to 2,000 rounds/min, although the maximum effective rate of fire is closer to 400 rounds/min.

Somali armed forces and groups also use the M 1939 37mm anti-aircraft gun, which was initially produced in Russia prior to World War 2 and has also been manufactured in Poland, China (as the Type 55) and North Korea. According to Jane's, the former Somali National Army possessed 180 of these weapons.

[147] ZSU-23-4

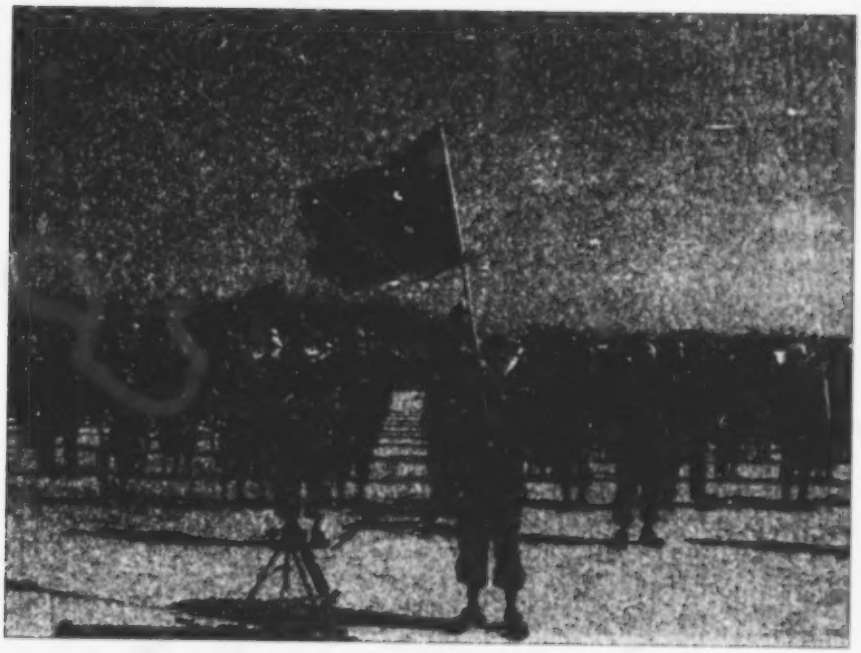
Mortars

All parties to the conflict have extensively used mortars in combat, mainly of the 60mm and 82 mm variety. In December 1009, AMISOM forces observed for the first time the use of 120mm calibre rounds by armed opposition groups.

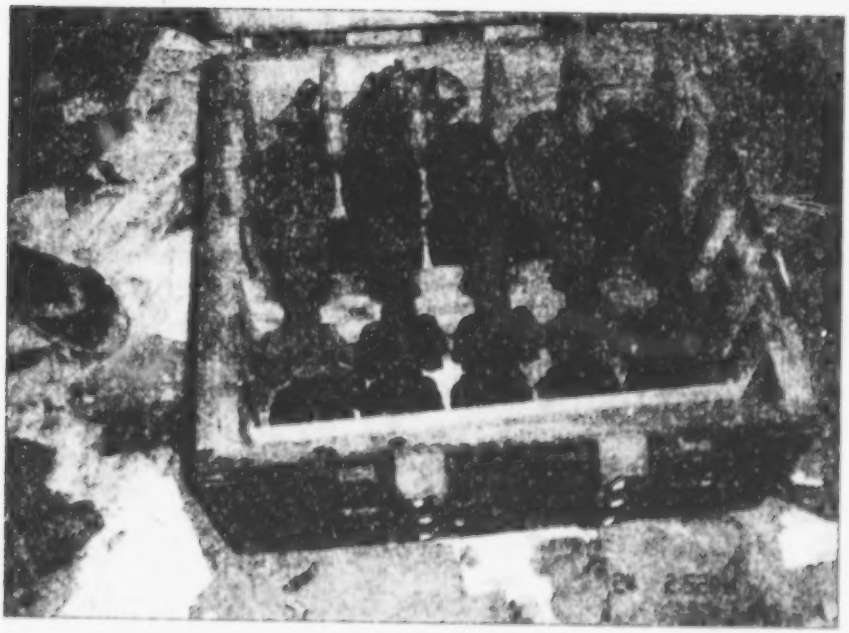
Armed opposition groups tend not to use mortars in a combat support role, but rather to harass and provoke retaliatory fire from TFG and AMISOM forces. Moreover, the Monitoring Group believes that opposition stocks of mortar ammunition are fairly low, since their 'barrages' rarely involve more than 10 rounds, and often as little as 3-5.

Videos footage indicates that insurgents use their mortars without sights — probably because the tubes are old and have been poorly maintained, but also possibly because of a lack of training. As a result, shelling is rarely accurate and often results in civilian casualties.

The picture below, taken during a January 2009 al-Shabaab military parade, shows a 60 mm mortar without base plate or sight.



The picture below show 82 mm mortar rounds found in South Central Somalia in 2007-2008.

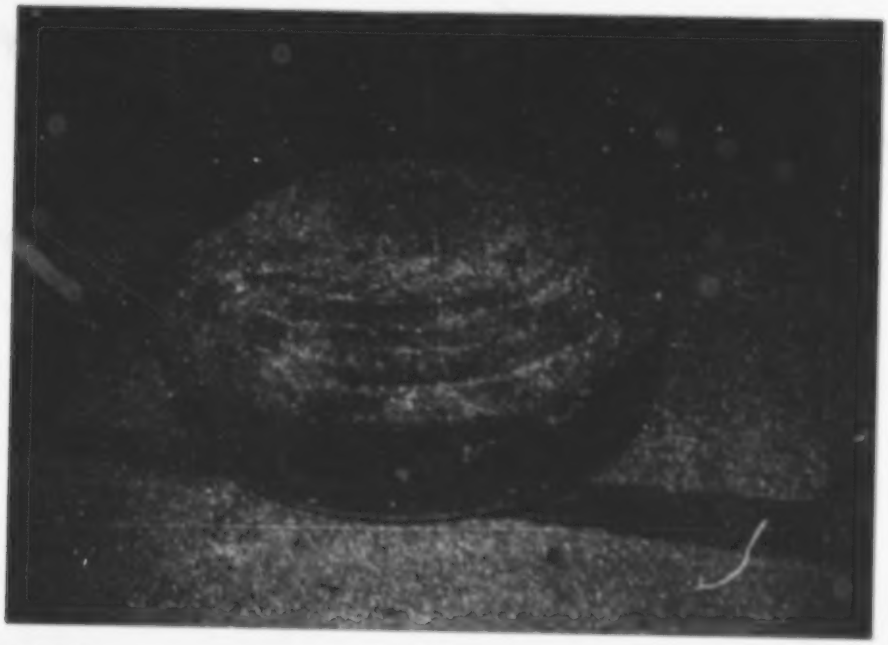


Improvised Explosives Devices (IEDs)

Although they can vary widely in shape and form, IEDs share a common set of components: an initiation system or fuze; explosive fill; detonator; a power supply for the detonator; and a container. Some IEDs — especially those carried by suicide bombers — may also be fitted with a secondary or 'failsafe' trigger to allow remote detonation.

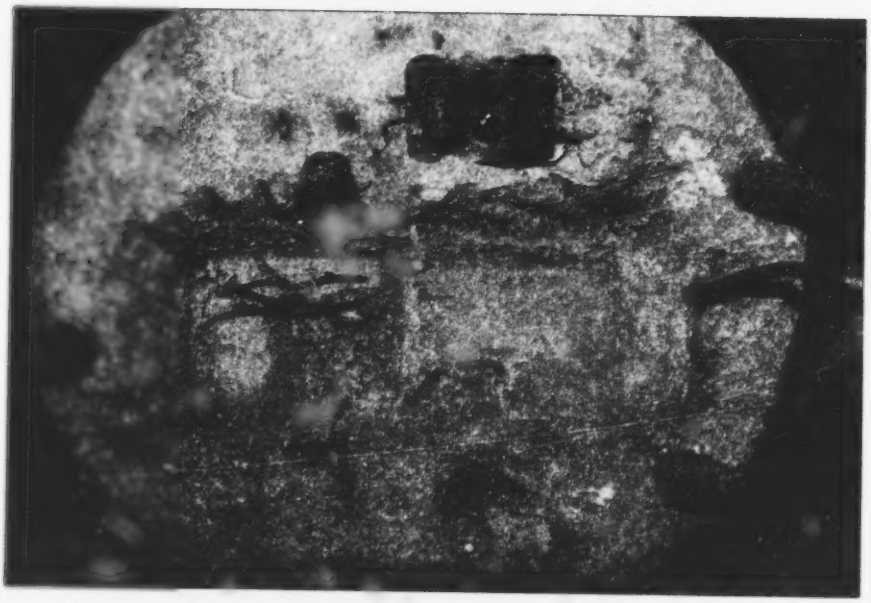
As shown in the pictures below, IEDs in Somalia can be derived from military ammunition such as mortar rounds (picture 1) or anti tank mines (picture 2).

Picture 1.



Picture 2.

Over time, Somalia has witnessed the use of more sophisticated IEDs, such as the example shown below (picture 3), which is contained in a former fire extinguisher, and employed a cell phone to detonate the device. The imprint of the telephone is still clearly seen in the cement seal. The use of keyless motorcycle starting systems to initiate IED detonation is increasingly common, since cell phone networks in Somalia can be unreliable.



Picture 3.

Monitoring Group sources affirm that most IEDs recovered and inspected in southern Somalia employed powdered TNT, suggesting that the explosive was recycled from high explosive shells and mines. Powdered TNT produces a lower order explosion than cast TNT, rendering IEDs less effective.

One notable exception to the use of TNT was the suicide attack in Hargeysa on 29 October 2008. At least some of the explosives employed in this attack were constituted of Ammonium Nitrate Fuel Oil (ANFO) — a liquid explosive often produced with fertilizer. The attackers exploited the fact that jerry cans filled with liquid would not attract attention.

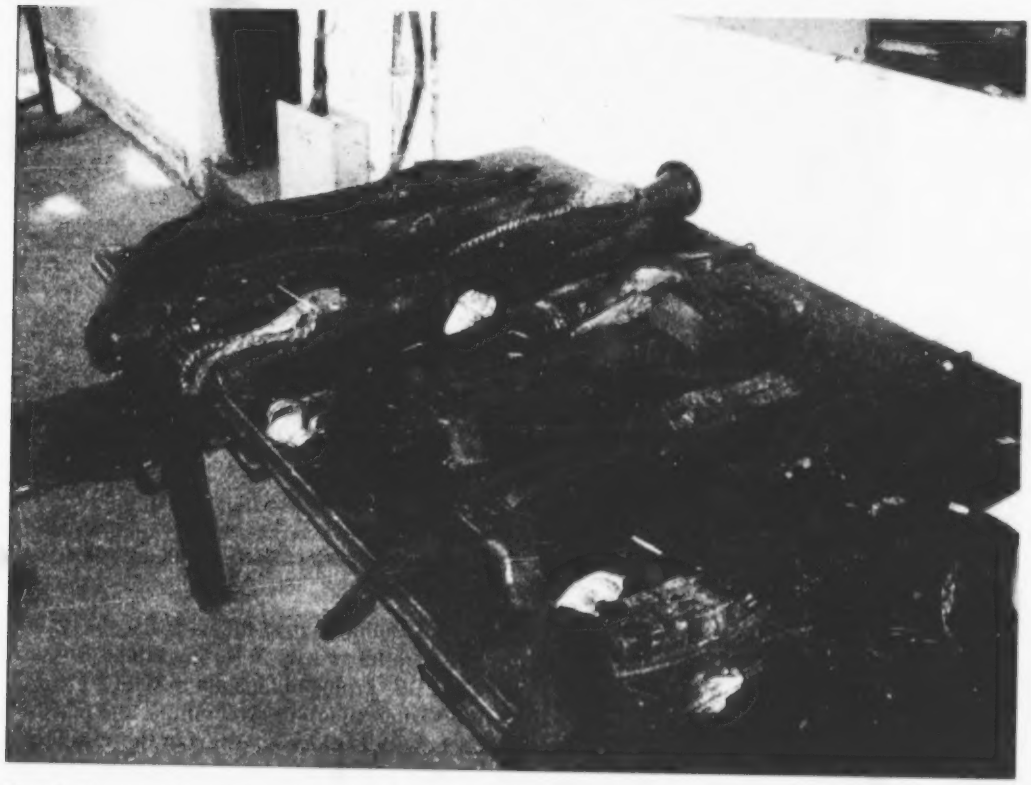
Other developments in the use of IEDs in Somalia include the use of sequential or simultaneous explosives, such as the five parallel attacks in Hargeysa and Bosaaso on 29 October 2008, or the twin VBIEDS deployed against AMISOM Force Headquarters on 17 September 2009. The latter attack unsuccessfully attempted to combine VBIEDs with pedestrian bombers with explosive vests, but the foot-borne bombers were killed by the VBIED explosion before they could detonate their vests. Secondary triggers on their vests ("chicken switches") intended for remote detonation apparently also failed to function.

Annex II

Weapons, equipment and other items seized from Somali pirates during anti-piracy operations in 2009

During its mandate the Monitoring Group conducted several inspections of weapons and equipment seized from pirates.[1] With the exception of the outboards motors, most equipment and weapons found on pirates are outdated and in poor condition.[2]

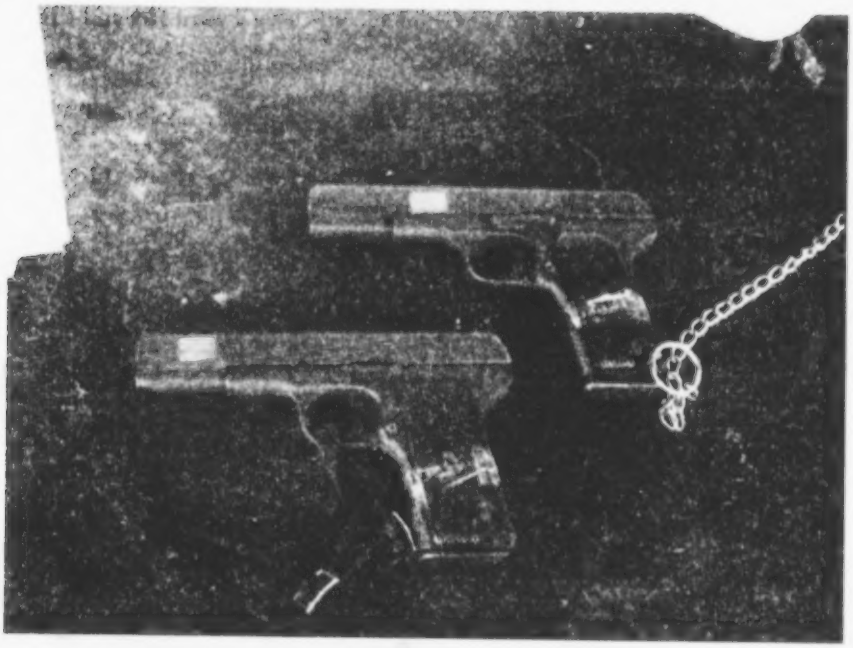
MG inspection at Mombasa police station, 09 October 2009:



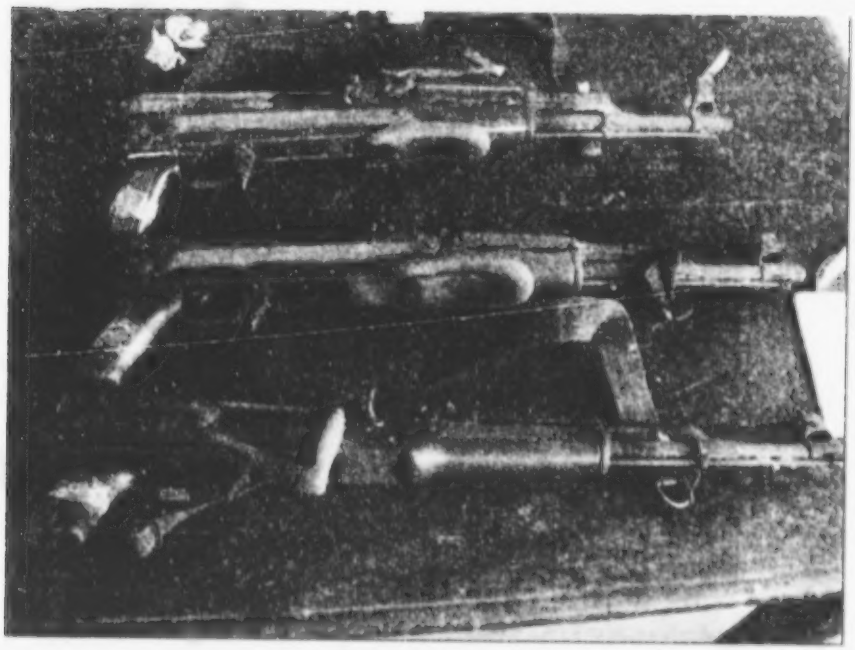
Sample of weapons and ammunition seized from pirates during the course of anti-pirate operations in the Gulf of Aden and the Somali Basin.

[1] The following types of weapons were regularly found with Somali pirates during seizures in 2009: AK-47 type assault rifles, SAR-80 and Heckler and Koch G3 assault rifles, Tokarev pistols, RPG grenades and launchers. Equipment routinely recovered from Somali pirates during seizures in 2009 included attack skiffs, supply skiffs, outboard engines, ladders, fuel, and cell phones. Also found during seizures, but less common, were GPS units, binoculars, documents and explosives.

[2] All seized outboard engines were Yamaha Enduro types, fairly recent models and in good condition.



Two Tokarev pistols



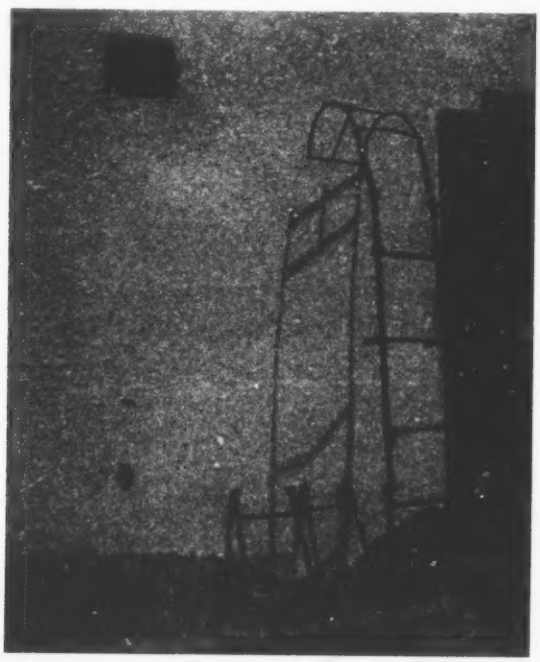
Three Kalashnikov-type assault rifles

Monitoring Group inspection at Berbera: Somaliland Coast Guard HQ and CID HQ, 11 October 2009

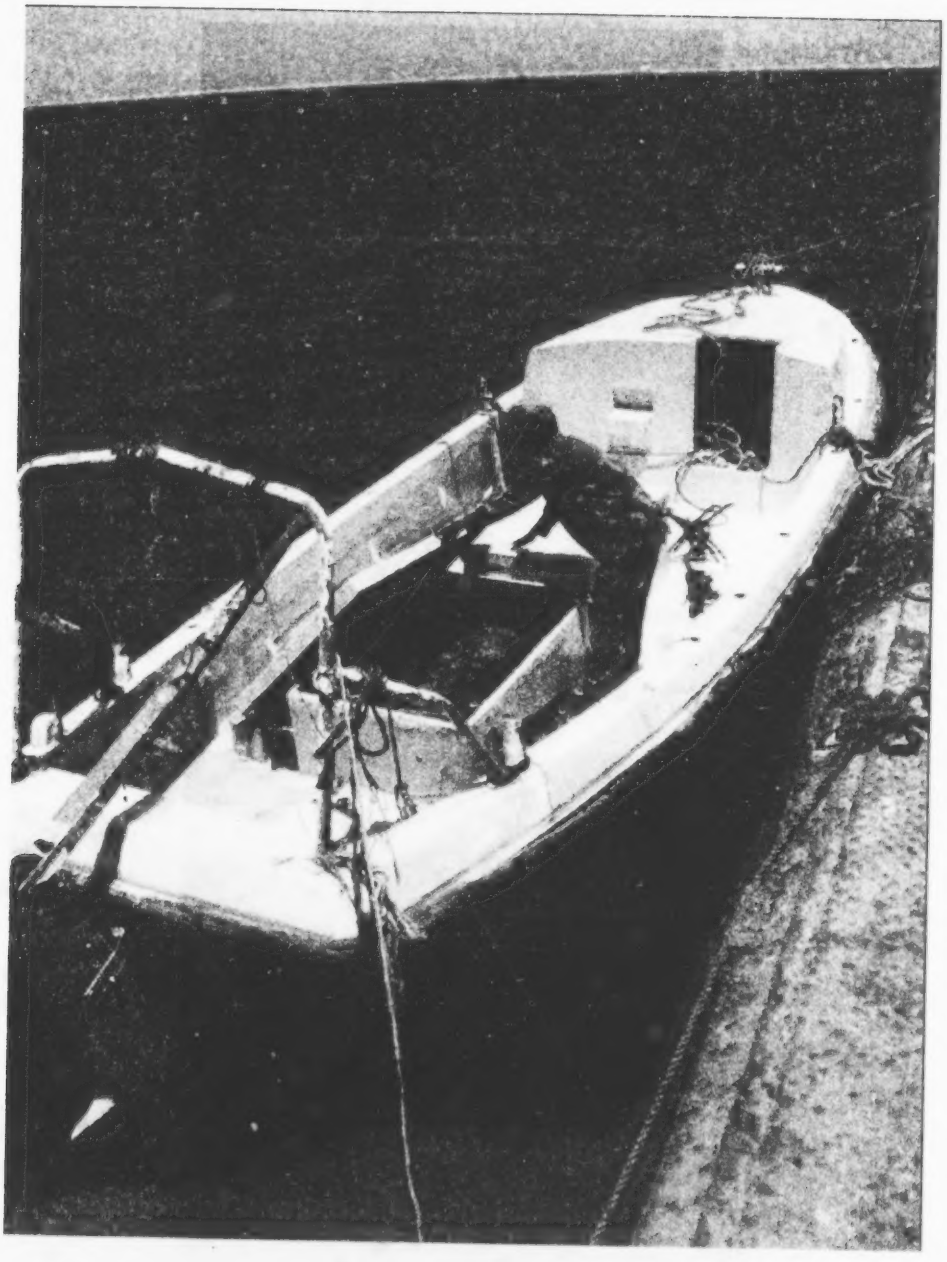
Admiral Osman Jibril Haggar, Commander of the Somaliland Coastguard, next to a seized attack skiff

Two rusty, old RPG anti-tank grenades

Pirate weapons: a Type-56 Chinese assault rifle, a German Heckler & Koch G3, rocket propelled grenade launcher type RPG-2, and an MG42 machine gun or equivalent.



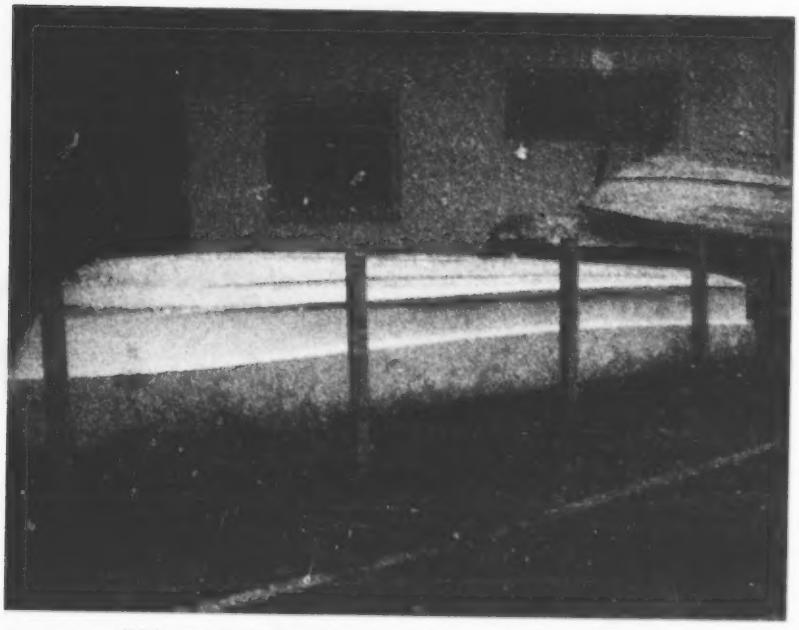
Thin, detachable steel ladder with metal arc welded on top at district CID Headquarters, Berbera.



Inboard motorboat used by pirates to carry provisions and fuel (seized from Fu'aad Hanaano's militia).

Monitoring Group inspection, Mombasa port and Coast Guard HQ, 27 October 2009:

Two skiffs (Arabian model) used by pirates to carry provisions and fuel

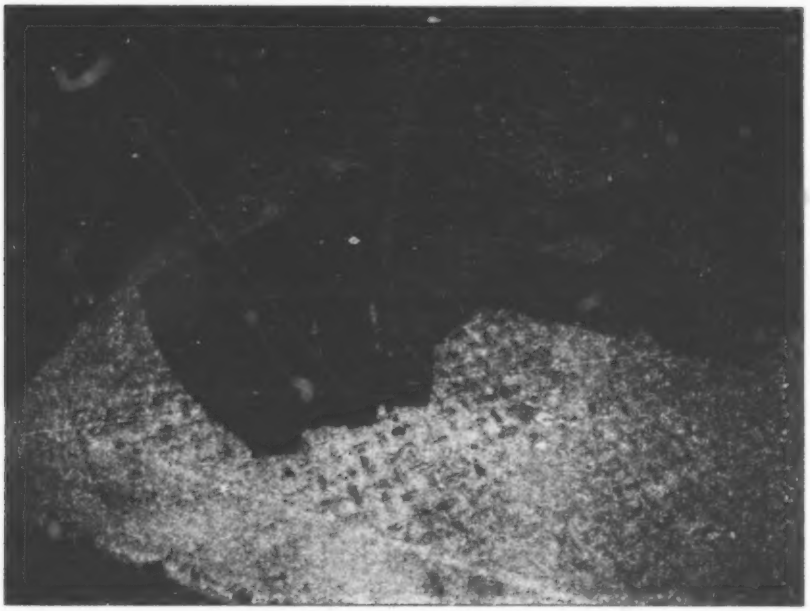


White attack skiff used by pirates to attack a maritime vessel

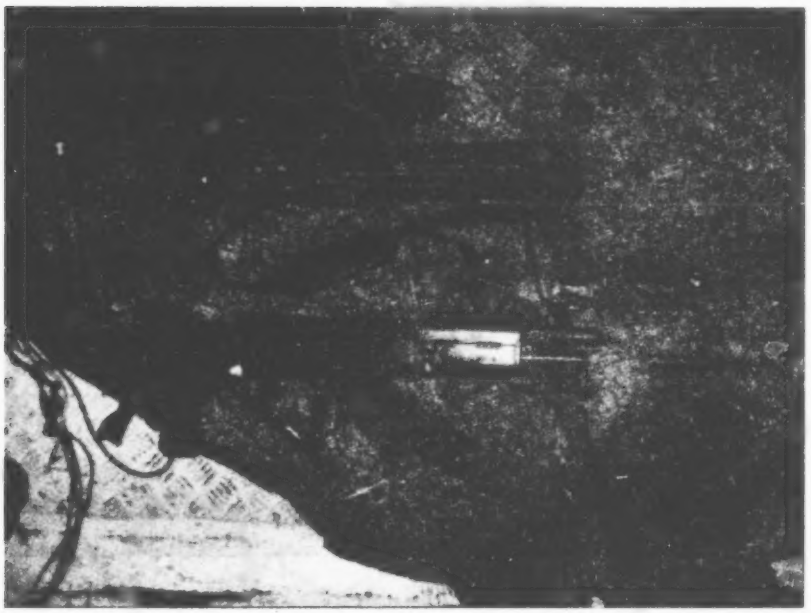
Three outboard engines type Yamaha Enduro (type of outboard engine most commonly used by Somali pirates)

EU NAVFOR seizures, December 2009:

Two Kalashnikov-type assault rifles



Shoulder holster and chargers



Two Kalashnikov-type assault rifles